NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

North Dakota Highway Safety Plan

FISCAL YEAR 2018
Mission Statement

*The Safety Division develops, implements, and evaluates programs to reduce crashes and related fatalities and injuries.*
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North Dakota is the second-leading oil producing state in the nation following Texas. Oil production in the state began in late 2008 and has grown to the current level of production of about one million barrels of oil per day (U.S. Energy Information Administration Petroleum and other Liquids 2016).

Census data show that the oil boom in North Dakota has sparked a population increase that made the state the fastest growing since 2010. North Dakota experienced a 12.5 percent population change from April 1, 2010 (estimates) to July 1, 2016 (V2016) (United States Census Bureau, Quick Fact North Dakota). The “oil boom” has impacted North Dakota in many ways including: an influx of population statewide but primarily in the northwest where the bulk of oil is being produced; a significant increase in commercial and non-commercial vehicle traffic, travel time, and vehicle miles traveled; economic prosperity; and an increase in motor vehicle fatalities.

While the number of annual motor vehicle fatalities in North Dakota has on average increased in recent years, the fatality rate has remained fairly stable due to coinciding increases in population and vehicle miles traveled. Regardless, the state has continued its commitment to traffic safety and has taken additional steps to advance traffic safety by establishing a goal of moving toward zero deaths on North Dakota roads.

To accomplish this, North Dakota has reinvigorated the Strategic Highway Safety Plan (SHSP) process with increased stakeholder involvement, revised processes to identify priority emphasis areas and selection of evidence-based strategies for implementation, and increased resource commitment to the process.

The traffic safety priorities and strategies identified within this HSP are consistent with the state’s SHSP and we are confident that with strong stakeholder involvement and commitment to implementation of evidence-based strategies that North Dakota will make progress in moving toward the critical goal of zero deaths.
Crash Data Summary

In 2016, 113 people died on North Dakota roads.

Historically (dating back to 1979), North Dakota’s motor vehicle fatality rate had been consistently lower than the national fatality rate. Between 2007 and 2008 North Dakota was almost identical to the national fatality rate, but in 2009 North Dakota spiked in conjunction with the oil production and population increase as depicted in Figure 1. The 2016 North Dakota fatality rate is one of the lowest rates the state has seen in decades.

Due to North Dakota’s rural nature, it is not unexpected that about 80-90 percent of fatal crashes occur on rural roads in North Dakota each year. In 2016, 90 percent of fatal crashes occurred on rural roads. Through the North Dakota SHSP, greater emphasis and resources is being committed to implementing identified safety strategies on the rural roads where these crashes are occurring.

The vehicles most prevalently involved in fatal crashes in order of frequency include pickup/van/utility truck (accounting for 48.4 percent of fatal crashes in 2016), followed by passenger vehicle, truck tractor, trucks, and motorcycles.

Fatal crashes in North Dakota occur sporadically in terms of month of year, day of week, and time of day. A three-year crash data analysis (2013-2016) shows that fatal crashes appear to occur more weekend nights (Friday-Sunday) and during the following times: 3 p.m. to 5 p.m.; 11 p.m. to 2 a.m.

The following demographic groups are disproportionately impacted through fatal motor vehicle crashes.

- Male drivers aged 18-34 account for 33 percent of North Dakota’s licensed drivers in 2016 and 33 percent of drivers involved in fatal crashes. The main contributing factors to these crashes are:
  - Non-seat belt use – males aged 18-34 accounted for 36 percent of all unbelted crash fatalities in 2016.
  - Speed – males aged 18-34 accounted for 44 percent of drivers in speed-related fatal crashes in 2016.
  - Alcohol use – males aged 18-34 accounted for 44 percent of impaired drivers involved in fatal crashes in 2016.
• Drivers aged 14-20 represent 6.6 percent of all licensed drivers in North Dakota and accounted for 15.4% of all crashes and 11.7% of fatal crashes in 2016.

Recent Data Impacting Performance Goals

North Dakota is experiencing rapid growth in population, number of licensed drivers, vehicle miles traveled (VMT), and number of registered vehicles. The North Dakota population has increased by over 100,000 from 2008 and has increased at an average rate of 2.41 percent per year since 2009 (refer to Figure 2).

North Dakota’s number of licensed drivers has shown drastic increases. Since 2009 the number of licensed drivers in the state has increased by 78,736 (refer to Figure 3). VMT in North Dakota may have the biggest impact on traffic crashes and because of oil related traffic has seen some of our largest increases. VMT has increased 2.1 billion miles since 2009 and at an average rate per year since 2009 of 4.18 percent (refer to Figure 4). The number of registered vehicles in the state has increased by 310,354 since 2009 at an average rate of 3.64 percent per year (refer to Figure 5).

![North Dakota Population 2009-2016](image1)

![Licensed Drivers 2009-2016](image2)
Figures 4 and 5 show the trend of Vehicle Miles Traveled (VMT) in billions from 2009 to 2016. The VMT has increased over the years, with a slight decrease in 2015. Figure 5 also shows the trend of Registered Vehicles from 2009 to 2016, indicating an overall increase in the number of registered vehicles during this period.
North Dakota Profile

North Dakota is geographically located in the Upper Midwest. The 2016 Census estimate for North Dakota population was 757,952, this is an increase of 12.7 percent from 2010. North Dakota has 53 counties and 357 municipalities distributed over 69,000 square miles with an average of 9.7 people per square mile. Approximately 88.6 percent of North Dakota’s population is White, 5.5 percent Native American, 3.5 percent Hispanic and 2.4 percent Black or African American (2014 U.S. Census Bureau estimates). According to the Census, approximately 23 percent of the population is under 18, 62.8 percent is 19 to 64 and 14.2 percent is 65 and older. There are 106,673 miles of roads in the state. Of the total only 7,378 are state highway system, 18,698 are county highway system and 56,867 are other rural roads. In 2016 there were 558,657 licensed drivers and 1,038,730 registered vehicles in North Dakota.
Planning Process

The Highway Safety Planning Process

Planning processes as required in 23 CFR 1300.11(a) (1) are achieved in North Dakota through the NDDOT Safety Division’s administration of the SHSP and HSP. Processes are described in the paragraphs below and speak to the processes and stakeholder participation used to identify highway safety problems, performance targets, evidence-based strategies and coordination between the HSP and SHSP in North Dakota.

The North Dakota Highway Safety Plan

North Dakota’s HSP is administered through the NDDOT Safety Division. The highway safety planning process is circular and continuous as identified in Figure 6.

At any point in time, the Safety Division may be working on previous, current and upcoming fiscal year plans adding additional complexity to the process.
Table 1 outlines the North Dakota Safety Division’s typical HSP planning year.

**Table 1**

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>January - June</td>
<td>Review previous year program results.&lt;br&gt;Conduct ongoing problem identification and internal planning to guide funding distribution and overall direction of the traffic safety program to refine performance targets, strategies, and evaluation within each program area.</td>
</tr>
<tr>
<td>March - April</td>
<td>As funding allows, solicit Request for Proposals (RFPs) and/or Request for Applications (RFAs) from subgrantees. Post any solicitation announcements to the Safety Division’s webpage.</td>
</tr>
<tr>
<td>April - June</td>
<td>Continue data analysis to include the review of state traffic crash data from the most recent year and other related data sources.&lt;br&gt;If projects are solicited, establish a Grant Review Committee(s) to review and score proposals/applications received in response to the solicitation.&lt;br&gt;Select projects for inclusion in the HSP.&lt;br&gt;Determine revenue estimates and draft an initial HSP budget.&lt;br&gt;Draft the HSP for internal review.&lt;br&gt;Review the draft with NDDOT officials and other appropriate local, state and federal officials.&lt;br&gt;If the Safety Division did not solicit grant applications/proposals due to lack of discretionary funding, conduct a public comment period to allow for adequate input from stakeholders and the general public.&lt;br&gt;Finalize HSP budget.&lt;br&gt;Conduct Safety Division’s final internal review of HSP for compliance with federal requirements, completeness and accuracy.&lt;br&gt;Submit HSP for approval by Safety Division Director/Governor’s Representative.</td>
</tr>
<tr>
<td>July 1</td>
<td>Submit the final HSP to NHTSA by July 1 deadline.</td>
</tr>
<tr>
<td>July - September</td>
<td>Begin to draft Safety Division’s grant agreements/contracts.&lt;br&gt;Notify successful subgrantees and develop final grant agreements/contracts. Submit grant agreements/contracts for Department approval.</td>
</tr>
<tr>
<td>October 1</td>
<td>Implement HSP, grants and contracts.</td>
</tr>
<tr>
<td>November</td>
<td>Begin preparation of annual evaluation report for previous fiscal year.</td>
</tr>
<tr>
<td>December 31</td>
<td>Submit annual evaluation report to NHTSA Region 8 Office.</td>
</tr>
</tbody>
</table>
Problem Identification

North Dakota’s Problem Identification

The Safety Division’s planning process begins with problem identification to:

- Understand the crash problem and causation factors
- Develop effective strategies to reduce or eliminate the problem
- Design evaluation mechanisms to measure changes in problem severity
- Manage influences (for example, using statistical crash data to highlight a particular problem area in order to obtain the necessary support for instituting an effective countermeasure in a jurisdiction)

Steps for problem identification include:

- Identify data elements
- Identify data sources
- Identify data display options
- Analyze and interpret data
- Identify and prioritize emphasis areas
- Ongoing data review and analysis

The problem identification process includes a thorough review of traffic records and ancillary data from a multitude of sources, including:

- NDDOT Crash Reporting System (CRS) – the crash data from the CRS are analyzed annually and used to establish a historical trend data for identified traffic safety problems using the previous 10 years of available crash data
- Fatal Analysis Reporting System (FARS)
- Driver license data
- Motor vehicle data
- Vehicle miles traveled (VMT) data
- North Dakota State University Upper Great Plains Transportation Institute – traffic safety issue briefs and program evaluation reports developed through the analysis of state and local crash, driver, motor vehicle, and traffic safety program data
- North Dakota Department of Health – Division of Emergency Medical Services, vital records, injury data, medical services cost data, Behavior Risk Factor Surveillance Survey (BRFSS), Youth Risk Behavior Survey (YRBS)
- North Dakota Department of Human Services – Medicaid data, annual household survey
- North Dakota Highway Patrol crash reconstruction data
- Statewide observational seat belt survey
- Community-level program data
- National Highway Traffic Safety Administration (NHTSA) statistical information
- North Dakota Office of Attorney General, State Toxicology Laboratory
The most recent years’ data and historical data from these sources are reviewed at various regular intervals throughout the fiscal year. In the months prior to HSP development, data are specifically analyzed to determine the five Ws of problem identification (Who?, What?, Where?, When? and Why?). An annual Crash Data Summary is published that provides an overview of North Dakota’s problem identification responding to these five questions. The document is made available for stakeholder review and used to determine priority emphasis areas.

Data analysis occurs through a collaboration of key traffic safety stakeholders working together to target the resources of multiple agencies and programs to identified priority emphasis areas.

Stakeholders in the data analysis and other HSP planning functions include:

- NDDOT – Safety Division, Planning Division, Programming Division, Driver License Division, Local Government Division, Executive Management
- NHTSA Region 8
- Federal Highway Administration – North Dakota Division
- North Dakota State University, Upper Great Plains Transportation Institute
- The SHSP Steering Committee, Priority Emphasis Area Subcommittees, and stakeholder members
- Community-based organizations and community-level programs
- State, local and tribal governments
- State, county, city and tribal law enforcement agencies
- Regional and local public health agencies
- Various non-profit highway safety organizations and coalitions
- Private entities
- Motorcycle safety education groups
- Youth organizations
- Other traffic safety partners

Each stakeholder plays a role in the highway safety data analysis and planning process. The NDDOT provides leadership in crash data collection and analysis. The Upper Great Plains Transportation Institute plays a role in both problem identification and program evaluation through the analysis of state and local crash, driver, motor vehicle, and traffic safety program data. Other partners/stakeholders use data in support of local level applications for funding and program planning, implementation, and evaluation.

North Dakota’s Strategic Highway Safety Plan
Table 2 shows North Dakota total crashes, injuries, and fatalities by county in 2016.

<table>
<thead>
<tr>
<th>County</th>
<th>PDO Crashes</th>
<th>Injury Crashes</th>
<th>Total Injuries</th>
<th>Fatal Crashes</th>
<th>Total Fatalities</th>
<th>Total Crashes</th>
<th>Total Rate per MVMT</th>
<th>VMT by County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
<td>22</td>
<td>11</td>
<td>11</td>
<td>0</td>
<td>0</td>
<td>33</td>
<td>0.78</td>
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<td>3</td>
<td>32</td>
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<td>81</td>
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<td>5</td>
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<td>52</td>
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<td>0</td>
<td>26</td>
<td>0.53</td>
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<td>5</td>
<td>2</td>
<td>2</td>
<td>25</td>
<td>0.47</td>
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<td>Grand Forks</td>
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<td>1</td>
<td>1,469</td>
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<td>3</td>
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<td>Kidder</td>
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<td>72</td>
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<td>Logan</td>
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<td>4</td>
<td>0</td>
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<td>14</td>
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<td>39</td>
<td>3</td>
<td>3</td>
<td>82</td>
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<td>0</td>
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<td>8</td>
<td>354</td>
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<td>40</td>
<td>66</td>
<td>6</td>
<td>6</td>
<td>122</td>
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<td>Mercer</td>
<td>92</td>
<td>23</td>
<td>37</td>
<td>4</td>
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<td>119</td>
<td>1.08</td>
<td>110,133,201</td>
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<td>Morton</td>
<td>505</td>
<td>131</td>
<td>172</td>
<td>8</td>
<td>9</td>
<td>644</td>
<td>1.37</td>
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<td>Mountrail</td>
<td>83</td>
<td>31</td>
<td>45</td>
<td>5</td>
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<td>119</td>
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<td>40</td>
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<td>Oliver</td>
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<td>0</td>
<td>0</td>
<td>3</td>
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<td>Pembina</td>
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<td>27</td>
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<td>118,469,339</td>
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<td>Pierce</td>
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<td>2</td>
<td>2</td>
<td>30</td>
<td>0.51</td>
<td>59,397,922</td>
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<td>Ramsey</td>
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<td>2</td>
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<td>Ransom</td>
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<td>2</td>
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<td>Renville</td>
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<td>1</td>
<td>18</td>
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<td>Richland</td>
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<td>91</td>
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<td>4</td>
<td>230</td>
<td>0.84</td>
<td>272,869,176</td>
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</tbody>
</table>
Data analysis as summarized under the “Crash Data Summary” portion of this document demonstrates that non-seat belt use, impaired driving, and speed are the primary factors in motor vehicle crashes.

Considering these primary factors in crashes, enforcement resources are deployed as described below to reduce fatal and serious injury crashes on a statewide basis through high visibility enforcement campaigns such as: occupant protection, impaired driving, distracted driving and speed.

Deployment of Resources Based on Data Analysis and Planned High Visibility Enforcement (HVE) Strategies to Support National Mobilizations

North Dakota’s FY 2018 enforcement plan, as described on the following pages, is designed to assure high visibility of law enforcement in a sustained, data-driven approach. The enforcement plan includes the deployment of resources and HVE strategies for occupant protection, impaired driving, distracted driving, and underage drinking campaigns to be conducted in FY 2018.

The Safety Division continues to work diligently to deploy a strategic multi-agency enforcement program to counteract low staffing among smaller agencies and increase law enforcement’s ability to be highly visible even in the most rural parts of the state. The multi-agency enforcement program rolled out in FY 2011 and brings together the North Dakota Highway Patrol and about 55 percent of the state’s county, city, and tribal law enforcement agencies to conduct statewide coordinated sustained HVE on a regional basis per a predetermined enforcement calendar. The enforcement calendar targets planned enforcement to high-risk periods where there’s a greater risk of lack of seat belt use, impaired driving, or speed in the region such as holidays and high-risk community celebrations.

Participating agencies are organized into eight regions in which HVE is conducted. A dark black border identifies each region in Figure 7. Figure 7 also shows North Dakota counties identified as being priority in terms of motor vehicle fatalities and serious injuries. Priority counties have been identified as having a VMT of .89 or greater and 100 or more crashes.

During defined HVE enforcement periods, officers will work more heavily in priority counties while maintaining a presence in counties with lesser fatalities and crashes. This approach will address the low law enforcement officer to population ratio that North Dakota experiences that has long been a barrier to effective enforcement by placing increased enforcement emphasis in counties with increased risk.
Overtime grants for occupant protection, distracted driving, impaired driving, and underage drinking will be provided by the Safety Division in FY 2018 to the law enforcement agencies listed in Table 3.

Table 3

<table>
<thead>
<tr>
<th>Counties Per Region</th>
<th>County Sheriff Department Participating (Yes/No)</th>
<th>Participating City Police Departments in the Region</th>
<th>Population by County and/or Participating Cities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northwest Region – Williston</td>
<td>Burke No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Divide Yes</td>
<td></td>
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<td>McKenzie No</td>
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<td>Watford City</td>
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<td>Mountrail No</td>
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<td>Stanley</td>
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<td>Williams Yes</td>
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<td>Three Affiliated Tribes No</td>
<td></td>
<td></td>
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<tr>
<td>Northwest Region – Minot</td>
<td>Bottineau No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>McHenry Yes</td>
<td></td>
<td></td>
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<tr>
<td>McLean Yes</td>
<td></td>
<td></td>
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<tr>
<td>Renville No</td>
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<tr>
<td>Ward Yes</td>
<td></td>
<td>Burlington, Minot, Surrey</td>
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</table>
### Northeast Region – Devils Lake

<table>
<thead>
<tr>
<th>County</th>
<th>Yes/No</th>
<th>Population</th>
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<tbody>
<tr>
<td>Benson</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Cavalier</td>
<td>No</td>
<td></td>
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<tr>
<td>Pierce</td>
<td>Yes</td>
<td>Rugby</td>
</tr>
<tr>
<td>Ramsey</td>
<td>No</td>
<td>Devils Lake</td>
</tr>
<tr>
<td>Rolette</td>
<td>No</td>
<td></td>
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<tr>
<td>Towner</td>
<td>No</td>
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<tr>
<td>Wells</td>
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<td>Spirit Lake Reservation</td>
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<tr>
<td>Turtle Mountain Reservation</td>
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Population included in county census data.

### Northeast Region – Grand Forks

<table>
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</thead>
<tbody>
<tr>
<td>Grand Forks</td>
<td>Yes</td>
<td>Grand Forks &amp; University of North Dakota</td>
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<tr>
<td>Nelson</td>
<td>Yes</td>
<td>3,126</td>
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<td>Pembina</td>
<td>Yes</td>
<td>7,069</td>
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<td>Walsh</td>
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<td>10,904</td>
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### Southwest Region – Dickinson

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<tbody>
<tr>
<td>Adams</td>
<td>Yes</td>
<td>2,360</td>
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<tr>
<td>Billings</td>
<td>Yes</td>
<td>774</td>
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<tr>
<td>Bowman</td>
<td>No</td>
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<td>Dunn</td>
<td>No</td>
<td>Killdeer</td>
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<td>Hettinger</td>
<td>No</td>
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<tr>
<td>Stark</td>
<td>Yes</td>
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### Southwest Region – Bismarck

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<tr>
<td>Burleigh</td>
<td>Yes</td>
<td>Bismarck, Lincoln</td>
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<tr>
<td>Emmons</td>
<td>No</td>
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<td>Grant</td>
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<td>Kidder</td>
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<td>Mercer</td>
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<td>Morton</td>
<td>Yes</td>
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### Southeast Region – Jamestown

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<tbody>
<tr>
<td>Barnes</td>
<td>Yes</td>
<td>Valley City</td>
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<tr>
<td>Dickey</td>
<td>No</td>
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<td>Eddy</td>
<td>Yes</td>
<td>2,301</td>
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<td>Foster</td>
<td>Yes</td>
<td>Carrington</td>
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<td>LaMoure</td>
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<tr>
<td>Stutsman</td>
<td>Yes</td>
<td>Jamestown</td>
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### Southeast Region – Fargo

<table>
<thead>
<tr>
<th>County</th>
<th>Yes/No</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cass</td>
<td>Yes</td>
<td>Fargo &amp; North Dakota State University &amp; West Fargo</td>
</tr>
<tr>
<td>Ransom</td>
<td>Yes</td>
<td>Lisbon</td>
</tr>
<tr>
<td>Richland</td>
<td>No</td>
<td>Wahpeton</td>
</tr>
<tr>
<td>Sargent</td>
<td>Yes</td>
<td></td>
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<tr>
<td>Steele</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Traill</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>
As demonstrated in Table 3, North Dakota will collectively serve 85 percent of North Dakota’s population through enforcement by these agencies.

**Enforcement Strategies/Guidelines/Policies**

**Impaired Driving**

During the contract period, each agency must: (1) conduct a minimum of two shifts during each state defined enforcement event and (2) conduct a minimum of four shifts during the National Labor Day Drive Sober or Get Pulled Over campaign. The State, using data, has defined two four-week enforcement periods for FY 2018 in addition to the National Labor Day Drive Sober or Get Pulled Over campaign.

With each planned enforcement period, the agency must: (1) conduct required enforcement activities during the times determined by the State or as organized by NHTSA, (2) determine the best enforcement strategy (e.g., sobriety checkpoints vs. saturation patrols, time of day, and etc.) that will most effectively deter impaired driving within the jurisdiction, (3) conduct high visibility enforcement within corridors and times where the occurrence of injury and death from impaired driving is greatest, (4) coordinate with the Safety Division to complete earned media requirements (e.g., provide statistics from the enforcement period for a post-enforcement news release, etc.), and (5) maintain an enforcement log for each enforcement shift conducted with traffic safety overtime for impaired driving and submit that log with the reimbursement request.

The agency may conduct additional enforcement activity beyond the required regional calendar requirements within their own jurisdiction, if the budget allows.

Drug Recognition Experts (DREs) will be encouraged to attend as many sobriety checkpoints as possible. Operation procedures governing the statewide enforcement program are in place and followed by all participating agencies.

Participating agencies will be required to report dates worked, hours worked, and number and type of citations or warnings issued. Agencies will be monitored throughout the campaign period to assure participation.

Each agency will collaborate with the Safety Division to conduct a highly publicized earned media campaign with each scheduled enforcement period to assure the public’s awareness of the enforcement and establish a public perception of risk to deter impaired driving.

**Occupant Protection**

 Participating law enforcement agencies will conduct HVE of North Dakota’s occupant protection laws including participation in the national Click It or Ticket campaign conducted in May/June of each year. The State, using data, has defined two four-week enforcement periods for FY 2018 in addition to the Click It or Ticket campaign.

With each planned enforcement period, the agency must: (1) conduct HVE within corridors and times where the occurrence of injury and death from lack of seat belt use is at its greatest, (2) coordinate with the Safety Division to complete earned media requirements (e.g., provide statistics from the enforcement period for a post-enforcement news release, etc.), and (3) maintain an enforcement log for each enforcement shift conducted with traffic safety overtime for occupant protection and submit that log with the reimbursement request.
Participating agencies will be required to report dates worked, hours worked and number and type of citations or warnings issued. Agencies will be monitored throughout the campaign period to assure participation.

Each agency must coordinate with the Safety Division to conduct a highly publicized earned media campaign with each scheduled enforcement period to assure the public’s awareness of the enforcement and establish a public perception of risk to increase seat belt use.

**Distracted Driving**

Participating law enforcement agencies will conduct a Distracted Driving HVE effort during April, National Distracted Driving Awareness month and September in FY 2018. These enforcement efforts will have an emphasis on detecting illegal use of a cell phone or other electronic devices while driving.

Participating agencies will be offered a distracted driving enforcement training that will provide an interpretation of North Dakota’s distracted driving law and methods for detecting distracted drivers. Traffic Safety Resource Prosecutors and city/county prosecutors will participate in this training.

At a minimum, participating agencies will: (1) conduct HVE within corridors and times where the occurrence of distracted driving is the greatest, (2) coordinate with the Safety Division to complete earned media requirements (e.g., provide statistics from the enforcement period for a post-enforcement news release, etc.), and (3) maintain an enforcement log for each enforcement shift conducted with traffic safety overtime for distracted driving and submit that log with the reimbursement request.

Participating agencies will be required to report dates worked, hours worked and number and type of citations or warnings issued. Agencies will be monitored throughout the campaign period to assure participation.

Each agency must collaborate with the Safety Division to conduct a highly publicized earned media campaign with each scheduled enforcement period to assure the public’s awareness of the enforcement and establish a public perception of risk of distracted driving.

**Underage Drinking Enforcement**

Participating agencies will conduct enforcement of North Dakota’s underage drinking laws during the months of October, April and May. Agencies will be required to focus on high-incident times at which underage drinking and access to alcohol is prevalent in their communities. Enforcement activities will include, but will not be limited to saturation patrol, party patrols, compliance checks, and parking lot surveillance stings. Agencies may also use the overtime funds received to conduct responsible beverage server training in their jurisdiction.

At a minimum participating agencies will: (1) conduct underage drinking enforcement within their jurisdiction at times when the occurrence of underage drinking laws are being violated is the greatest, (2) coordinate with the Safety Division to complete earned media requirements (e.g. provide statistics from the enforcement effort and submit a post enforcement news release, (3) maintain an enforcement log for each enforcement shift conducted with traffic safety overtime enforcement funds and submit that log with the reimbursement request.

Participating agencies will be required to report dates worked, hours worked, the number and type of citations and warnings issued. Agencies will be monitored throughout the campaign period to assure participation.
ENFORCEMENT PLAN

Media Plan

A paid media and earned media campaign will occur in conjunction with each enforcement event. Paid and earned media will publicize law enforcement activities before, during, and after planned enforcement events.

Paid Media

Paid media will be placed by the Safety Division to coincide with each planned enforcement campaign. Media venues will include television, radio, billboards, print (posters, news print, etc.), social media (YouTube, Twitter, Facebook and other social media), live radio and television remotes, and as-live ads.

Ads will be tagged with NHTSA slogans Drive Sober or Get Pulled Over, Click It or Ticket, and U Drive. U Text. U Pay.

Weighted media buys, based on the gross rating points (GRP), will be made to assure maximum message saturation to the target demographic.

Earned Media

Earned media must begin several days in advance of each enforcement period and should include at a minimum news releases, news conferences, TV interviews, radio announcements, media ride-along and/or other public awareness activities. Earned media must include the NHTSA enforcement slogans.

Earned media activity for each campaign will be far-reaching and include at a minimum the following: (1) media activities including news releases, news conferences, live radio and television remotes, television and radio interviews, etc., (2) internet marketing activities including blogging, postings to social networking websites like Facebook, email blasts, etc., and (3) other public awareness activities through partnerships with local entities pertinent to the target populations including businesses, sports venues, health and social services programs, community-based organizations and other locally identified venues that would appropriately reach the target population to advance the campaign messages.

The Safety Division and the Safety Division’s media services vendor provide technical assistance, resources, and support to law enforcement for earned media purposes throughout the fiscal year.

Continuous Follow-Up and Adjustment of the Enforcement Plan

The Safety Division will use the Core Performance Measures as a baseline and guide in determining program effectiveness. The Safety Division will continually monitor process and outcomes related to HVE and will work toward continuous quality improvement until progress is achieved. In establishment of the FY 2018 performance goals, consideration was given to 2016 state data.

In addition to monitoring the Core Performance Measures each agency’s performance will be tracked after each required quarterly enforcement event to assure that agencies are performing at a level commensurate with identified standards as established by the Safety Division. Agencies evaluated at lesser performance levels will be given an opportunity to improve performance and will be asked to reevaluate their deployment strategies to ensure they are data-driven. Agencies will have the ability to access their performance levels 24/7 through the Law Enforcement Web Reporting (LEWR) web site.
## North Dakota HSP Performance Status

<table>
<thead>
<tr>
<th>Core Performance Measure</th>
<th>2017 Performance Target (five-year average)</th>
<th>Five-year average 2011-2015</th>
<th>Status</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>C1: Number of fatalities from traffic crashes</strong></td>
<td>140.5</td>
<td>146.4</td>
<td>Met</td>
<td>Fatalities dropped from 135 in 2014 to 131 in 2015</td>
</tr>
<tr>
<td><strong>C2: Number of serious injuries from traffic crashes</strong></td>
<td>488.2</td>
<td>522.6</td>
<td>Not Met</td>
<td>Serious injuries increased from 518 in 2014 to 540 in 2015</td>
</tr>
<tr>
<td><strong>C3: Fatalities per vehicle miles traveled (VMT)</strong></td>
<td>1.450</td>
<td>1.470</td>
<td>Met</td>
<td>Fatalities per VMT increased from 1.29 in 2014 to 1.30 in 2015</td>
</tr>
<tr>
<td><strong>C4: Number of unrestrained passenger vehicle occupant fatalities</strong></td>
<td>74.6</td>
<td>74.6</td>
<td>Met</td>
<td>Unrestrained passenger vehicle occupant fatalities decreased from 76 in 2014 to 69 in 2015</td>
</tr>
<tr>
<td><strong>C5: Number of fatalities involving a driver or motorcycle operator with a .08 BAC or above</strong></td>
<td>61.0</td>
<td>60.2</td>
<td>Met</td>
<td>Impaired driving fatalities dropped from 55 in 2014 to 50 in 2015</td>
</tr>
<tr>
<td><strong>C6: Number of speed related fatalities</strong></td>
<td>52.5</td>
<td>52.4</td>
<td>Met</td>
<td>Speed related fatalities dropped from 50 in 2014 to 40 in 2015</td>
</tr>
<tr>
<td><strong>C7: Number of motorcycle fatalities</strong></td>
<td>11.5</td>
<td>11.4</td>
<td>Not met</td>
<td>Motorcycle fatalities decreased from 10 in 2014 to 8 in 2015</td>
</tr>
<tr>
<td><strong>C8: Number of unhelmeted motorcycle fatalities</strong></td>
<td>7.2</td>
<td>7.2</td>
<td>Met</td>
<td>Unhelmeted motorcycle fatalities decreased from 8 in 2014 to 4 in 2015</td>
</tr>
<tr>
<td><strong>C9: Number of drivers age 20 and younger involved in fatal crashes</strong></td>
<td>21.2</td>
<td>21.0</td>
<td>Met</td>
<td>Drivers age 20 and younger decreased from 23 in 2014 to 16 in 2015</td>
</tr>
<tr>
<td><strong>C10: Number of pedestrian fatalities</strong></td>
<td>6.6</td>
<td>6.6</td>
<td>Met</td>
<td>Pedestrian fatalities decreased from 9 in 2014 to 7 in 2015</td>
</tr>
<tr>
<td><strong>C11: Number of bicyclist fatalities</strong></td>
<td>1.4</td>
<td>1.2</td>
<td>Met</td>
<td>Bicycle fatalities decreased from 3 in 2014 to 1 in 2015</td>
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### Behavior Measures

<table>
<thead>
<tr>
<th>Program Area</th>
<th>2013 Data</th>
<th>2014 Data</th>
<th>2015 Data</th>
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<tbody>
<tr>
<td><strong>B1: Observed seat belt usage</strong></td>
<td>77.7</td>
<td>81</td>
<td>80.4</td>
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### Activity Measures

<table>
<thead>
<tr>
<th>Program Area</th>
<th>2013 Data</th>
<th>2014 Data</th>
<th>2015 Data</th>
<th>2016 Data</th>
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<tbody>
<tr>
<td><strong>A1: Seat belt citations</strong></td>
<td>3,036</td>
<td>3,506</td>
<td>3,736</td>
<td>3,297</td>
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<tr>
<td><strong>A2: Impaired driving citations</strong></td>
<td>571</td>
<td>673</td>
<td>644</td>
<td>542</td>
</tr>
<tr>
<td><strong>A3: Speeding citations</strong></td>
<td>5,486</td>
<td>5,511</td>
<td>5,413</td>
<td>4,512</td>
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<tr>
<td><strong>A4 Percentage of Crash Reports electronically submitted. (April 1-September 30 time frame for each year)</strong></td>
<td></td>
<td></td>
<td>89.2</td>
<td>99</td>
</tr>
<tr>
<td><strong>A5: Percentage of misused car seats during checks</strong></td>
<td>New Measure 75%</td>
<td>75%</td>
<td>78%</td>
<td>76%</td>
</tr>
<tr>
<td><strong>Other (Distracted Driving)</strong></td>
<td>2013 (Texting)59%</td>
<td>2013 (Talking) 57.6%</td>
<td>2015 (Talking) 68%</td>
<td>2015 (Texting) 61.4%</td>
</tr>
<tr>
<td><strong>A6: Distracted Driving Citations</strong></td>
<td>Not collected</td>
<td>Not collected</td>
<td>388</td>
<td>394</td>
</tr>
</tbody>
</table>
Core Outcome Performance and Behavior Goals

C1: Decrease the number of traffic fatalities by 5.7 percent from a five-year (2011-2015) average of 146.4 to a five-year (2014-2018) average of 138.0 by December 31, 2018.

C2: Decrease the number of serious traffic injuries by 1.3 percent from a five-year (2011-2015) average of 522.60 to a five-year (2014-2018) average of 516 by December 31, 2018.


C4: Decrease the number of unrestrained passenger vehicle occupant fatalities, all seat positions, by .5 percent from a five-year (2011-2015) average of 74.6 to five-year (2014-2018) average of 74.2 by December 31, 2018.

C5: Decrease the number of traffic fatalities involving a driver or motorcycle operator with a .08 BAC or above by .5 percent from a five-year (2011-2015) average of 60.2 to five-year (2014-2018) average of 59.9 by December 31, 2018.

C6: Decrease the number of speed related traffic fatalities by .5 percent from a five-year (2011-2015) average of 52.4 to five-year (2014-2018) average of 52.1 by December 31, 2018.

C7: Decrease the number of motorcyclist fatalities by .5 percent from a five-year (2011-2015) average of 11.4 to five-year (2014-2018) average of 11.3 by December 31, 2018.

C8: Maintain the number of unhelmeted motorcyclist fatalities from a five-year (2011-2015) average of 7.2 to a five-year average (2014-2018) average of 7.2 by December 31, 2018.

C9: Decrease the number of drivers age 20 and younger involved fatal crashes by .5 percent from a five-year (2011-2015) average of 21.0 to a five-year (2014-2018) average of 20.9 percent by December 31, 2018.


C11: Maintain the number of bicyclist fatalities at a five-year (2011-2015) average of 1.2 to a five-year (2014-2018) average of 1.2 by December 31, 2018.

B1: Increase the percent of observed occupants using a seat belts by .5 percent from 80.4 (2015) to 80.8 (2017) by December 31, 2018.
Core Outcome Problem Identification, State Calculations and Countermeasures

C1 Traffic Fatalities

Problem Identification

The number of traffic fatalities has fluctuated over the past seven years; in 2016 there were 113 traffic fatalities in North Dakota and one person died in a traffic crash every 3.2 days compared to 2008 with only one fatality every 3.5 days. The five-year average of fatalities has seen a slight decrease from 2009-2013 to 2012-2016 (refer to Figure 8). North Dakota is experiencing growth in many areas including population, licensed drivers, number of registered vehicles and vehicle miles traveled, but the one area that cannot afford to experience growth is traffic fatalities.

![Five Year Average of North Dakota Traffic Fatalities](image)

Figure 8

Figure 9 below depicts the trend line indicating a projected increase in the number of motor vehicle fatalities in North Dakota. Through strategies identified in this HSP, the Safety Division hopes to mitigate the projected increase.

![Annual Number of Fatalities](image)

Figure 9
Performance Measure

2018 Performance Goals

Decrease the number of traffic fatalities by 5.7 percent from a five-year (2011-2015) average of 146.4 to a five-year (2014-2018) average of 138.0 by December 31, 2018.

State Goal Calculation

North Dakota’s goals for traffic fatalities is based on five-year averages. North Dakota has set a goal of 5.7 percent decrease in traffic fatalities by December 31, 2018. Considering North Dakota has seen increases in all major indicators (Population, Number of Licensed Drivers, Vehicle Miles Traveled (VMT), and Number of Registered Vehicles) of at least 2.0 percent per year, attempting to reduce by 5.7 percent will be very challenging.

C1 Countermeasures

Evidence-Base

Projects listed below are identified as evidence-based strategies as identified in the Countermeasures that Work: A Highway Safety Countermeasures Guide for State Highway Safety Offices, Seventh Edition, 2013. Projects not listed provide support to evidence-based strategies in terms of program management, implementation, and evaluation functions.


PA1801-01 – P & A

Budget: $300,000 section 402 PA

Safety Division staff will plan, develop, implement, market, monitor and evaluate the annual HSP.

Costs under Planning and Administration (P&A) will consist of salaries for the Safety Division Managers and the contract/finance manager, travel and miscellaneous expenses for general traffic safety activity not associated to a specific program area. Miscellaneous and travel expenses can include:

• General administration of the Traffic Safety Program
• General Public Information and Education (PI&E) materials
• Training and travel for staff members for program administration
• Memberships and other professional fees for the Governor’s Highway Safety Association (GHSA), etc.
• Preparation and printing of reports like the HSP, the annual HSP evaluation/annual report, and other overarching materials
• Coordination of Strategic Highway Safety Plan (SHSP) process

Other NDDOT resources are leveraged to supplement Safety Division operations; specifically, the Finance, Information Technology, and Communications divisions. Match will be generated by state-funded salaries within the Safety Division or in other divisions that support the Safety Division.

CP1809-01 – Program Management (Program Manager)
Budget: $286,333 section 402CP

Direct management costs and travel expenses for Community Traffic Safety Projects will be funded including salary, travel, and other direct costs.

CP1809-02 – County and Corporate Outreach Program
(North Dakota Association of Counties)
Budget: $300,000 section 402 CP

Project activities will include media advocacy, training, community mobilization, environmental strategies, and other activities through coordination with the counties, corporations, and other entities on a statewide basis. The goal is to form a broad network of traffic safety advocates statewide to advance these strategies. Activity will be directed to the identified traffic safety priorities of seat belt use, impaired driving, and distracted driving.

Activity will occur through diverse partnerships: (1) governed by the North Dakota Association of Counties including the Institute of Local Government, the County Employers Group (CEG), and CEG Risk Managers Group; (2) within the counties including law enforcement, social services, public health, other health care services, and other entities; (3) through sports venues; and (4) through businesses/corporations statewide.

Funds will be used to reimburse salary, benefits and travel expenses for the program manager and for operational costs and other allowable costs related to the project. This program also applies to core performance measures: C4, C5, C9 and Distracting Driving.

CP1809-06 – Program Evaluation (NDSU UGPTI)
Budget: $150,000 section 402 CP

The NDSU UGPTI will complete the following evaluation projects:

• The annual public opinion survey consistent with NHTSA/GHSA-established performance reporting requirements
• An analysis of crash and driver data sets upon request to meet specific needs of the Safety Division
• An evaluation of select traffic safety interventions as identified by the Safety Division
• Observational study of use of cell phone among drivers

Costs will consist of UGPTI’s consulting fees, sub-consultant fees, operating expenses, and an approved indirect cost rate.

CP1809-07 – TSP Summit & Events Coordination (Vendor/Fiscal Agent)
Budget: $75,000 section 402 CP

Traffic Safety Partner Summit. The NDDOT will conduct its annual Strategic Highway Safety Plan (SHSP) conference in North Dakota. The conference provides 4E stakeholders in education, enforcement, engineering, and emergency medical services with information and best practices in traffic safety. Participants are also informed of the status of the SHSP implementation and crash data results. Professional continuing education credits are provided.
Other Events as Identified by the Safety Division. Funds will be used to reimburse the firm’s hourly services and the direct costs associated with each event including advocacy support program, speaker honorariums, room rental fees, law enforcement travel reimbursement, printing, project materials, and miscellaneous associated costs.

Table 5

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Budget</th>
<th>Budget Source/Code</th>
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</thead>
<tbody>
<tr>
<td>PA1801-01</td>
<td>P &amp; A</td>
<td>$300,000</td>
<td>402 PA</td>
</tr>
<tr>
<td>CP1809-01</td>
<td>Program Management</td>
<td>$286,333</td>
<td>402 CP</td>
</tr>
<tr>
<td>CP1809-02</td>
<td>County &amp; Corporate Outreach</td>
<td>$300,000</td>
<td>402 CP</td>
</tr>
<tr>
<td>CP1809-06</td>
<td>Program Evaluation</td>
<td>$150,000</td>
<td>402 CP</td>
</tr>
<tr>
<td>CP1809-07</td>
<td>TSP Summit &amp; Events Coordination</td>
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C2 Serious Injuries

Problem Identification

The number of serious injuries in North Dakota has steadily and significantly increased over the past eight years. In 2016, there were 429 serious injuries in traffic crashes on North Dakota roads. The five-year average for serious injuries increased 13.8 percent since 2009-2013.

![Five-Year Average of North Dakota Serious Injuries](image1)

Figure 10

The number of serious injuries reached its highest point in 2012. However, serious injuries in 2016 remain significantly higher than 2009.

![Annual North Dakota Serious Injuries](image2)

Figure 11
Performance Measure

2018 Performance Goals

Decrease the number of serious traffic injuries by 1.3 percent from a five-year (2011-2015) average of 522.6 to a five-year (2014-2018) average of 516 by December 31, 2018.

State Goal Calculation

Serious Injuries

North Dakota’s goals for serious injuries is based on five-year averages. North Dakota has set a goal of 1.3 percent decrease in serious injuries by December 31, 2018. Considering North Dakota has seen increases in all major indicators (population, number of license drivers, vehicle miles traveled (VMT), and number of registered vehicles) of at least 2.0 percent per year, attempting to reduce by 1.3 percent will be very challenging.

C3 Fatalities per VMT

Problem Identification

North Dakota has experienced tremendous economic growth over the last five years, along with that growth the state has seen unprecedented increases in VMT. Most of these increases are due to oil exploration and production in the state. As depicted in Figure 4 on page 8, the state has had a 27.6 percent increase in VMT since 2009. However the rate of fatalities per 100 VMT has not kept pace with these increases, in fact North Dakota has seen a decline in the rate of fatalities per VMT over the last few years.

![Annual Fatality Rate per 100 VMT](image)

Figure 12

With the decline in fatality rate in 2013, North Dakota feels that the increasing trend can be reversed and that our five-year average should start to stabilize and decline over time. The 2016 North Dakota fatality rate is one of the lowest rates the state has seen in decades.
**Performance Measure**

**2018 Performance Goals**


**State Goal Calculation**

North Dakota’s goal for fatalities per VMT is based on five-year averages. The Safety Division feels this goal is very attainable because the vehicle miles travel is increasing at a greater rate than the number of fatalities within the state.

**C4 Occupant Protection**

**Problem Identification**

Proper and consistent use of seat belts and child safety seats is known to be the single most effective protection against becoming a traffic fatality. The failure to wear a seat belt continues to result in more motor vehicle fatalities in North Dakota than any other traffic safety-related behavior. On average from 2009 to 2016, 62 percent of passenger vehicle fatalities were unrestrained.

A fatal crash means that at least one person involved in the crash received a fatal injury. However, in most fatal crashes in North Dakota there are more people involved than just those that receive the fatal injuries. Drilling down into data on all people involved in these crashes can provide a clearer understanding of why some receive fatal injuries and some receive no injuries at all.
In 2016, there were 188 people involved in passenger vehicle fatal crashes. Of those, 86 sustained fatal injuries. The remaining 102 people received a variety of injuries ranging from none to incapacitating.

Of the 86 that received fatal injuries, 50 did not have restraint in use and of those 27 were partially or totally ejected from their vehicles.

There were 20 people who received incapacitating injuries in these fatal crashes. Seven of the 20 had restraints in use, 11 did not and two were unknown.

There were 32 people who received non-incapacitating injuries, 19 had restraints in use, and 13 did not.

There were 11 people who received Possible-Claimed injuries. Six of these individuals were using lap and shoulder restraints.

There were 39 people in these fatal crashes that did not receive any injuries, 25 were wearing lap and shoulder restraints, and six were not in use and four unknown.

**Performance Measure**

**2018 Performance Goals**

Decrease the number of unrestrained passenger vehicle occupant fatalities, all seat positions, by .5 percent from a five-year (2011-2015) average of 74.6 to five-year (2014-2018) average of 74.2 by December 31, 2018.

**State Goal Calculation**

North Dakota’s goals for unrestrained passenger vehicle occupants is based on a five-year average. Considering North Dakota has seen increases in all major indicators (Population, Number of Licensed Drivers, Vehicle Miles Traveled (VMT), and Number of Registered Vehicles) of at least 2.0 percent per year attempting to reduce by .5 percent will be very challenging.
C4 Countermeasures

Evidence-Base

Projects listed below are identified as evidence-based strategies as identified in the *Countermeasures that Work*:

*A Highway Safety Countermeasures Guide for State Highway Safety Offices, Seventh Edition, 2013*. In addition to the below mentioned countermeasures, projects from B1 observed seat belt usage and A5 percentage of misused car seats. Projects not listed provide support to evidence-based strategies in terms of program management, implementation, and evaluation functions.


**OP1805-01 – Program Management (Program Manager)**

*Budget: $200,675 section 402 OP*

The program manager will provide technical assistance and resources to grantees and contractors who are tasked with increasing adult seat belt use and the public related to occupant protection, including the development of seat belt use policies and the coordination of enforcement programs.

Funds are for expenses related to the direct management and travel associated with occupant protection projects.

**OP1805-05 – Overtime Enforcement (Law Enforcement Agencies)**

*Budget: $475,190 section 405 M2HVE*

Law enforcement agencies (state, county, city and tribal) will conduct quarterly sustained statewide HVE of North Dakota’s occupant protection laws in an effort to reduce the number of unrestrained fatalities statewide. This includes participation in the national Click It or Ticket enforcement campaign to occur in May 2018.

Funds are for grants to city, county, and state law enforcement agencies to conduct HVE on overtime. Agencies who conduct occupant protection overtime will be eligible to apply for radar/LIDAR equipment grants to assist in enforcing North Dakota’s secondary seat belt law.
OP1805-06 – Enforcement Media – Paid/Earned/PI&E (Media Vendor)
Budget: $645,000 section 402 OP

The Safety Division will coordinate all media and outreach activities in support of scheduled occupant protection HVE to increase public awareness.

The Safety Division will contract with a media firm to develop, print, and purchase media and materials to support occupant protection enforcement targeting non-users with a priority emphasis on males age 14 to 34 and rural road users.

Funds will be used to purchase radio, television, billboard, and print ads. Alternative media including blogs, social networking websites, email blasts, etc. will also be used. North Dakota will use the Click It or Ticket message on all enforcement materials.

Outreach efforts will leverage state and community resources through partnerships with city, county and state law enforcement; other government agencies; community-based organizations; businesses; schools; and other partners to provide PI&E to increase the use of seat belts statewide primarily targeting males and rural road users. Statewide PI&E will parallel and complement national campaigns during enforcement periods.

Campaign effectiveness will be measured by the number of paid and non-paid electronic and print mediums, the target population reached (gross rating points), and a statewide evaluation of the target audience’s knowledge, attitude, behavior, and beliefs toward occupant protection. Earned media including newspaper articles, live radio remotes, appearances on local news shows, social media activity, etc. will also be tracked and reported.

Funds are for the Safety Division’s media vendor to develop and implement occupant protection media campaigns including paid media placement.

CP1809-03 – Tribal Outreach Programs (North Dakota Tribes)
Budget: $200,000 section 402 CP

Native Americans comprise 5.4 percent of North Dakota’s population. This project will support traffic safety intervention conducted through traffic safety outreach programs developed by North Dakota’s Native American tribes (Standing Rock Sioux Tribe, Three Affiliated Tribes, Spirit Lake Nation, and Turtle Mountain Band of Chippewa).

The project will provide resources and technical assistance to North Dakota’s tribes to establish and/or maintain a traffic safety outreach program. Outreach programs will serve as a means to disseminate seat belt, impaired driving, speed, and distracted driving prevention messages and countermeasures to the reservations.

Outreach coordinators will plan, implement, and evaluate traffic safety intervention within their service regions. This may include: (1) coordinating crash data collection and analysis; (2) providing outreach and earned media support for tribal enforcement initiatives; (3) implementing environmental/policy strategies such as compliance checks, server training, and worksite safety programs; (4) conducting PI&E; (5) coordinating with the courts to improve the prosecution, adjudication and rehabilitation of DUI offenders; and (6) other initiatives as defined by the tribe to improve traffic safety on the reservations.

Outreach programs will operate via diverse partnerships with law enforcement, social services, injury prevention, and other health care services, businesses, non-profit agencies, faith-based agencies, media, and other entities.

Funds will be used to reimburse salary, benefits and travel expenses for outreach coordinators and for operational costs and other allowable costs related to traffic safety project implementation.
CP1809-05 – Traffic Safety Media & Miscellaneous Projects
Earned Media and PI&E (Media Vendor)
Budget: $100,000 section 402CP

The Safety Division will coordinate all media and outreach activities as a means to disseminate seat belt, impaired driving, speed, and distracted driving prevention messages and countermeasures to the reservations and outreach contracts.

A media firm will be under contract to develop, print, and purchase media and materials, update Code for the Road and North Dakota Driver and Traffic Safety Education Association websites and develop the ND Crash Summary & Infographics.

Costs are for the Safety Division’s media vendor to develop, coordinate, and distribute media and PI&E materials, update websites and develop the ND Crash Summary and Infographics.

CP1809-09 – Traffic Safety Partner Network (Media Vendor)
Budget: $50,000 section 402 CP

Corporations/businesses throughout the state will be offered the opportunity to become a member of a network of corporations/businesses working together to strengthen their commitment to ensuring motor vehicle safety throughout the state.

Safety Division staff and grantees will work to identify and recruit corporations/businesses for participation. Participating businesses will receive technical assistance and resources to educate their employees about traffic safety and to strengthen internal traffic safety policies to change employee behavior both on and off the job.

Businesses will, in turn, become part of a network of traffic safety advocates that can be called upon to assist other traffic safety stakeholders statewide with media advocacy, community mobilization, implementation of environmental strategies, and other activities. The goal is to form a broad network of traffic safety advocates statewide to advance traffic safety. Activity will be directed to the identified traffic safety priorities of seat belt use, impaired driving, speed, and distracted driving.

Costs are for PI&E material development through the Safety Division’s media vendor and other costs associated with the projects.

OTHER FUNDS
Tween Seat Belt Outreach Program – NDSU Extension Service
Budget: $10,000 – other

The North Dakota State University (NDSU) Extension Service 4-H Youth Development Program will continue to administer its tween seat belt outreach program to increase seat belt use among pre-driving youth in North Dakota.

The project uses a curriculum from the University of Michigan’s 4-H Youth Development entitled Take a Second, Save a Lifetime and adapted the curriculum for use in North Dakota. Parent education materials are employed as an adjunct to the curriculum to enhance the educational experience of the youth through parent education.

The program began as a pilot project in three regions of the state in both school and 4-H club settings. A pre- and post-test survey administered to youth and parents in the intervention groups and control groups compared knowledge, attitudes, and behaviors (KAB) related to seat belt use pre- and post-intervention. The survey proved the program was successful in positively changing KAB of pre-driving youth and seat belt use.
PERFORMANCE PLAN

In FY 2018, NDSU Extension Service will continue the program in additional regions in the state. This program will also apply to core performance measure C9.

OTHER FUNDS

Tribal Outreach Program (Standing Rock Sioux Tribe)
Budget: $50,000 – other

Standing Rock Sioux Tribe (SRST) outreach program will serve as a means to disseminate seat belt, impaired driving, speed, and distracted driving prevention. SRST will administer its outreach coordinator position and will plan, implement, and evaluate traffic safety intervention within their service regions. This may include: (1) coordinating crash data collection and analysis; (2) providing outreach and earned media support for tribal enforcement initiatives; (3) implementing environmental/policy strategies such as compliance checks, server training, and worksite safety programs; (4) conducting Pl&E; (5) coordinating with the courts to improve the prosecution, adjudication and rehabilitation of DUI offenders; and (6) other initiatives as defined by the tribe to improve traffic safety on the reservations.

SRST will provide funds to be used to reimburse salary, benefits and travel expenses for the SRST outreach coordinator and for operational costs and other allowable costs related to traffic safety project implementation.
North Dakota’s SHSP Occupant Protection Strategies

The North Dakota SHSP identifies the following occupant protection strategies that will be pursued through SHSP implementation by stakeholders and using other state and federal resources yet to be determined.

- **Enact primary seat belt legislation that includes primary enforcement of seat belt use for all passengers in all seating positions.** Laws are necessary as voluntary seat belt compliance has not been accomplished to date. PI&E materials for outreach will be developed for enforcement and non-enforcement campaigns to assist with education of state and local leadership and the public on the importance of strong laws to increase seat belt use.

- **Strengthen penalties for lack of seat belt use.** Increasing penalties will increase seat belt use and decrease unbelted fatalities. PI&E materials for outreach will be developed for enforcement and non-enforcement campaigns to assist with education of state and local leadership and the public on the importance of strong laws to increase seat belt use.

- **Strengthen detection and the public-perceived risk of being stopped and ticketed through sustained, well-publicized, highly visible seat belt enforcement campaigns.** This will occur through sustained Click It or Ticket HVE.

**Table 6**

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C5 Fatalities Involving an Operator with .08 BAC or Above

Problem Identification

Although it is a criminal offense to operate a motor vehicle with a blood alcohol content (BAC) of .08 or higher it is one of the most consistent behaviors over time contributing to fatalities in North Dakota. In 2016, the state had 49 fatalities involving an operator with a BAC of .08 or higher (refer to Figure 16). This number is approximately a 2 percent decrease from the 2009-2013 five-year average (refer to Figure 17). Operators with a BAC of .08 higher contribute to approximately 50 percent of North Dakota’s fatalities on an annual basis and the five-year average has continued on an upward trend.
Performance Measure

2018 Performance Goals

Decrease the number of traffic fatalities involving a driver or motorcycle operator with a .08 BAC or above by .5 percent from a five-year (2011-2015) average of 60.2 to five-year (2014-2018) average of 59.9 by December 31, 2018.

State Goal Calculation

North Dakota’s goals for fatalities involving a driver or motorcycle operator with a blood alcohol content (BAC) of .08 and above is based on a five-year average. Considering North Dakota has seen increases in all major indicators (Population, Number of License Drivers, Vehicle Miles Traveled (VMT), and Number of Registered Vehicles) of at least 2.0 percent per year, attempting to reduce by .5 percent will be very challenging.

C5 Countermeasures

Evidence-Base

Projects listed below are identified as evidence-based strategies as identified in the Countermeasures that Work: A Highway Safety Countermeasures Guide for State Highway Safety Offices, Seventh Edition, 2013. Projects not listed provide support to evidence-based strategies in terms of program management, implementation, and evaluation functions.


With a large percent of officers trained to detect the drug impaired driver, there is an increase in the number of requests that State Toxicology laboratory receives for drug analysis for highway safety purposes. The average increase of requests for drug analysis for the past 10 years have been approximately 7.0 percent.
PERFORMANCE PLAN

ID1810-01 – Program Management (Program Manager)
Budget: $250,000 section 402 AL

Technical assistance and resources will be provided to contractors and other entities to advance impaired driving prevention activities at the state and community level. This position will also address enforcement and adjudication of laws regarding driving while impaired by alcohol and/or drugs.

Costs are associated with the direct management of the program including salary, travel, and other direct costs.

ID1810-02 – Overtime DUI Enforcement (Law Enforcement Agencies)
Budget: $599,517 section 405 M4HVE

The Safety Division will coordinate the deployment of Regional DUI Task Forces which bring together state, county, city and tribal law enforcement to crack down on impaired driving through statewide, sustained overtime DUI enforcement (DUI saturation patrols and sobriety checkpoints). The task forces work regionally based on a predetermined enforcement calendar developed to target planned enforcement to high-risk periods where there’s a greater risk of impaired driving in the region such as holidays, community celebrations, as well as data-driven times and locations.

All agencies participating on the Regional DUI Task Forces are required to conduct enforcement during the national Drive Sober or Get Pulled Over campaign. Earned media will be obtained by participating law enforcement, in cooperation with local partners, through newspaper articles, live radio remotes, appearances on local news shows, social media, with support through the Safety Division and the Safety Division’s media vendor.

Funds will also be provided to agencies for underage drinking enforcement during high-risk times such as prom and graduation. Other underage drinking enforcement activities will also be authorized including Shoulder Tap and Compliance Check programs (where minors are used by law enforcement as decoys both within and outside of alcohol retail establishments to check whether the establishments are selling alcohol to minors).

Funds will provide overtime wages to support law enforcement agency participation in statewide enforcement activities. Funds under this project will also be used for law enforcement overtime to conduct server training and compliance checks. Funds will be set aside for equipment purchases to aid in the apprehension of impaired drivers.

ID1810-03 – Enforcement Media – Paid/Earned /PI&E (Media Vendor)
Budget: $600,000 section 405 M4PEM

This project will provide for the paid media, earned media, and PI&E to complement impaired driving HVE. Funds will be used by a media vendor for creative development and media purchases. Media distribution methods will include television, radio, billboards, and alternative social media including blogs, social networking websites, email blasts, etc. All campaign outreach will be conducted with law enforcement and other identified partners for broad message distribution. Campaigns will promote the Drive Sober or Get Pulled Over message and will assure public awareness of North Dakota’s DUI law/sanctions as a deterrent to driving under the influence.

Campaign effectiveness will be measured by the number of paid and non-paid electronic and print mediums, the target population reached (gross rating points), and a statewide evaluation of the target audience’s knowledge, attitude, behavior, and beliefs affected by the messages. Earned media including newspaper articles, live radio remotes, appearances on local news shows, social media activity, etc. will also be tracked and reported.
ID1810-05 – Video Camera Surveillance Systems  
(Law Enforcement Agencies)  
Budget: $100,000 section 405 M4OT

Agencies participating in the multi-agency enforcement program (ID1810-02) are eligible to apply for funds to purchase in-car digital video surveillance systems based on demonstrated need. The units will provide enhanced nighttime recording and more efficient storage and retrieval systems. The average cost of each digital video surveillance system will be about $6,000. The Safety Division pays for up to $4,000 per unit. Approximately 50 units will be purchased.

Only agencies currently under contract with the Safety Division and conducting quality DUI overtime enforcement will be considered for funding.

Funds will be used to provide grants to law enforcement agencies for the purchase of this equipment.

ID1810-06 – Alcohol-Testing Equipment (State Toxicology Lab)  
Budget: $331,523 section 405 M4BAC/M4SP

Heightened high visibility enforcement conducted throughout the year along with overtime enforcement campaigns (ID1810-02) and the increase in officers trained in ARIDE (ID1810-09) have increased the number of samples submitted to the State Toxicology Laboratory. This equipment will allow the State Toxicology Laboratory to more accurately and efficiently identify drugs and metabolites.

Funds will be provided to the State Toxicology Lab to purchase:

Equipment (over $5,000)
- GC/Mass Spectrophotometer - An analytical instrument that combines the features of gas-chromatography and mass spectrometry to identify different substances within a test sample. (Quantity = 1, Cost $130,000).
- Intoxilyzer 8000 - An evidentiary instrument for estimating alcohol content from a breath sample. (Quantity = 17, Cost $9,000 each) The request for Intoxilyzers from law enforcement agencies has increased since the Birchfield v ND Us Supreme Court Decision.

Equipment purchased for State Toxicology is for highway safety testing only.

Training
- Training and Miscellaneous Costs - $17,000 (includes travel expenses)

ID1810-07 – Traffic Safety Resource Prosecutor  
(North Dakota Association of Counties)  
Budget: $300,000 section 405 M4TR

The Safety Division will continue to contract for the services of two part-time Traffic Safety Resource Prosecutors (TSRPs) through the North Dakota Association of Counties. TSRPs will provide ongoing technical assistance and resources to all those involved in the prosecution and adjudication of impaired driving prevention cases (prosecutors, judges, toxicology lab personnel, administrative hearing officers, law enforcement, etc.). The TSRPs will: (1) provide training to law enforcement, prosecutors, toxicologists, and judges and other court personnel; (2) serve as second chair to assistant state’s attorneys to prosecute impaired-driving cases (upon request); (3) support law enforcement with preparation for administrative hearings; (4) review and recommend changes in state policy, procedure, and/or programs to eliminate drunk driving in the state; and (5) provide information and resources through a web-based listserv for prosecutors and law enforcement.

TSRPs will also provide training, technical assistance, and resources for other programs including occupant protection, distracted driving, speed, etc. Section 402 funds will be used for these services.

Funds will provide for the salaries, travel, operations, and program costs associated with the TSRP program.
ID1810-08 – Program Evaluation (NDSU UGPTI)  
Budget: $100,000 section 405 M4OT

Program evaluation supports the Safety Division’s planning, program development, and resource allocation decisions. The NDSU UGPTI will continue to analyze and validate arrest and conviction data of the NDDOT for accuracy, completeness and assessment of conviction rates for use to evaluate DUI strategies in place in the state. UGPTI will also conduct:

- An analysis of alcohol/drug-related crash, driver and other data sets upon request to meet specific needs of the Safety Division
- An evaluation of select impaired driving strategies and projects as identified by the Safety Division
- The NDDOT will access behavioral experts and resources within the universities to design DUI prevention behavioral interventions for pilot-testing in select areas of the state. This can include individual-, group-, or community-level interventions. Pilot projects will be designed, implemented, and evaluated for outcomes as they related to deterrence of impaired driving and if successful, more broadly distributed to identified risk populations.

Costs will consist of consulting fees, operating expenses, and approved indirect cost rate.

ID1810-09 – DUI Training/Events Coordination (Vendor/Fiscal Agent)  
Budget: $100,000 section 405 M4TR

The Safety Division will contract with a professional firm to act in the capacity of events planner to assist in the planning and conduct training, conferences and other traffic safety program events. The fiscal agent will coordinate and complete the event logistics and act as a fiscal agent to reimburse the onsite and participant expenses associated with each of the following activities/events:

**DUI Training.** This project will provide training to law enforcement, court personnel, and other stakeholders related to the enforcement, arrest, prosecution and adjudication of DUI offenders.

This may include: (1) provision of Standardized Field Sobriety Testing (SFST) certification/ re-certification training; (2) coordination with the North Dakota Law Enforcement Training Academy to provide SFST training materials, recruit volunteers for field sobriety testing, provide technical assistance, etc.; (3) enforcement of underage drinking laws; and (4) other training activities as they arise. This project will also provide for a Drug Recognition Expert (DRE) class, an in-state DRE re-certification training, and statewide Advanced Roadside Impairment Detection and Enforcement (ARIDE) training and resources to law enforcement officers.

**Other DUI Prevention Activities or Events as Identified by the Safety Division.**

Funds will be used to reimburse the firm’s hourly services and the direct costs associated with each event including advocacy support program, speaker honorariums, room rental fees, law enforcement travel reimbursement, printing, project materials, and miscellaneous associated costs.
Parents LEAD

ID1810-10 - PLEAD
Budget: $50,000 section 405 M4TR

OTHER FUNDS
Budget: $50,000 State Funds

The Safety Division is a partner agency in the administration of the Parents LEAD (Listen, Educate, Ask, Discuss) program – an evidence-based underage drinking prevention program.

The Parents LEAD program provides education and awareness to parents about the importance of their involvement and intervention to ultimately change the drinking culture in North Dakota by deterring underage drinking and overconsumption.

Program content was developed in partnership between the Safety Division, the North Dakota Department of Human Services Division of Mental Health and Substance Abuse Services, the North Dakota University System Consortium for Substance Abuse Prevention, and the North Dakota State University Extension Services. These agencies also coordinate for the administration of the program and the distribution of program materials through stakeholder and referral groups of each agency.

Parents LEAD program materials include a website (www.parentslead.org) that includes an option to register for e-mail updates, television and radio ads, print materials, and a Facebook page.

The 2017 North Dakota Legislature provided the Parents LEAD program with a state fund appropriation of $50,000 per year for partner agencies to continue with joint program administration.
North Dakota’s SHSP Impaired Driving Strategies

The North Dakota SHSP identifies the following impaired driving strategies that are being pursued through SHSP implementation by stakeholders in FY 2017 and using other state and federal resources yet to be determined.

• **Conduct a comprehensive assessment of impaired driving laws to strengthen administrative license sanctions and criminal penalties against best practices and recommend impaired driving policy changes.** Included in this assessment will be an examination of the following key elements:
  
  » **Extend/strengthen administrative license suspension for DUI offenders, including first-time offenders.**

  » **Expand and implement a mandatory ignition interlock program requiring ignition interlocks as a condition for license reinstatement.** North Dakota has implemented the 24/7 program and will utilize this program as a means to prevent the offender from further impaired driving.

  » **Remove the option of BAC test refusal or establish stronger penalties for BAC test refusal than for test failure.** Through the passage of North Dakota’s new law, DUI suspects who refuse an alcohol test will be charged with an offense under the DUI statute. Blood draws require a search warrant to be obtained.

  » **Impose increased penalties for a 0.15 BAC and higher.** Through the passage of North Dakota’s new DUI law, DUI offenders with a .16 BAC will receive more stringent sanctions. This is an improvement from prior law where more stringent sanctions applied to offenders with a 0.17 BAC or greater.

• **Strengthen impaired driving detection and public perceived risk of arrest in rural communities and on local roads by expanding the use of sobriety checkpoints during high-visibility saturation patrols to combat impaired driving.** This is occurring through existing DUI enforcement programs and media outreach.

• **Apply holistic or ecological approaches (via persons, families, cultures, communities, and policies) to create a cultural awareness of risk and to educate the motoring public during high-visibility enforcement campaigns.** This is occurring through the Safety Division’s media campaigns.

• **Conduct highly publicized compliance checks and training for alcohol retailers and merchants to reduce sales to underage persons.** This is occurring through existing DUI enforcement programs and PFS-SIG funding.

• **Conduct public outreach on accessible safe-ride alternative transportation services during high-visibility enforcement campaigns.** This is occurring through existing DUI enforcement and media programs.
## Budget Summary

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C6 Speed-Related Fatalities

Problem Identification

The number of speed-related fatalities has continued to increase in North Dakota (refer to Figure 18). Since 2009 North Dakota has seen a 15.6 percent increase in speed-related fatalities. Approximately 30 percent of all traffic fatalities in the last eight years are speed-related. In 2016, 37 people were killed in speed-related crashes.

![Annual North Dakota Speed-Related Fatalities](image1)

![Five-Year Average North Dakota Speed-Related Fatalities](image2)
**Performance Measure**

**2018 Performance Goals**

Decrease the number of speed related traffic fatalities by .5 percent from a five-year (2011-2015) average of 52.4 to five-year (2014-2018) average of 52.1 by December 31, 2018.

**State Goal Calculation**

North Dakota’s goals for speed-related fatalities is based on a five year average. Considering North Dakota has seen increases in all major indicators (Population, Number of License Drivers, Vehicle Miles Traveled (VMT), and Number of Registered Vehicles) of at least 2.0 percent per year, attempting to reduce by .5 percent will be very challenging.

**C6 Countermeasures**

**Evidence-Base**

Radar equipment to law enforcement supports high-visibility enforcement which is an evidence-based strategy as identified in the *Countermeasures that Work: A Highway Safety Countermeasures Guide for State Highway Safety Offices, Seventh Edition, 2013*.


**SC1807-01 – Program Management (Program Manager)**

**Budget: $2,000 section 402 SC**

Safety Division staff will administer speed management projects. Costs will consist of salary, travel and other direct expenses.

**SC1807-02 – Radar Equipment to Law Enforcement (Law Enforcement Agencies)**

**Budget: $200,000 section 402 SC**

This project will provide radar equipment to law enforcement to facilitate the use of speed as a trigger violation for impaired driving and occupant protection enforcement periods. Agencies conducting overtime enforcement for seat belts (OP1805-05 and ID1810-02) will be eligible for radar/LIDAR units.

The North Dakota Highway Patrol (NDHP) and select county and city law enforcement agencies will receive funds to purchase new-technology traffic radar and/or Light Detection and Ranging (LIDAR) units that conform to the International Association of Chiefs of Police (IACP) Consumer Products List.

Equipment resource allocation will be data-driven to assure equipment is placed with agencies with higher rates of motor vehicle fatalities and serious injuries or as an incentive for enforcement performance. Only agencies currently under contract and conducting quality overtime enforcement for seat belts and impaired driving will be considered for funding.

Funds are for the purchase of radar equipment. Individual units will cost less than $5,000 each.
PERFORMANCE PLAN

CP1809-04 – Oil Country Partnership – Paid/Earned/PI&E (Media Vendor)
Budget: $150,000 section 402 CP

A partnership including the NDDOT, the NDHP, and the North Dakota Petroleum Council and Motor Carriers Association has been working together to develop a media campaign to target the motoring public in North Dakota’s oil-producing counties and a set of traffic safety problems common to fatal and serious injury crashes in these counties including speed/aggressive driving, lack of seat belt use, and inappropriate passing.

Funds will be used to develop and purchase radio, television, print ads and public information and education materials. Alternative media including blogs, social networking websites, email blasts, etc. will also be used.

Campaign effectiveness will be measured by the number of paid and non-paid electronic and print mediums, the target population reached (gross rating points), and a statewide evaluation of the target audience’s knowledge, attitude, behavior, and beliefs affected by the messages. Earned media including newspaper articles, live radio remotes, appearances on local news shows, social media activity, etc. will also be tracked and reported.

Costs are for the media vendor to develop, coordinate, and implement the campaign including paid media placement.

OTHER FUNDS
Motor Carrier Enforcement (North Dakota Highway Patrol)
Budget: $268,400 FMCSA

The North Dakota Highway Patrol (NDHP) will conduct a TACT-like (Ticketing Aggressive Cars and Trucks) high visibility enforcement program.

Funds are for the NDHP to conduct high visibility enforcement on overtime in areas of the state more prominently impacted by speed-related fatal and serious crashes.
North Dakota’s SHSP Speed/Aggressive Driving Strategies

The North Dakota SHSP identifies the following speed/aggressive driving strategies that will be pursued through SHSP implementation by stakeholders beginning in FY 2015 and using other state and federal resources yet to be determined.

- **Educate state and local leadership and the public on the problem of speed in North Dakota to facilitate the enactment and support of legislation to strengthen penalties such as increased fines for right-of-way and speed violations.**

- **Strengthen speed detection and public perceived risk of being stopped and ticketed through sustained, well-publicized, highly visible speed enforcement campaigns.**

- **Address the perception of widespread speeding by heavy vehicles by first conducting a statewide assessment of commercial vehicle speeds. In response to the assessment results, examine enforcement, safety education, and outreach safety strategies for priority regions or corridors identified as needing improvement.**

- **Install speed signing using variable message signs in school zones once selected.**

### Table 8

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<td>SC1807-02</td>
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C7 Motorcycle Fatalities

Problem Identification

The number of motorcyclist fatalities continues to be an issue in North Dakota. Since 2009 North Dakota has averaged just over 11 motorcycle fatalities per year. Approximately, 72 percent of all motorcycle fatalities in the last eight years have been unhelmeted. In 2016, twelve people were killed in motorcycle-related crashes – all were males – and 83 percent (10 of 12) were not wearing a helmet at the time of the crash. Typically, half of all motorcycle fatalities in North Dakota involve alcohol.

![Annual North Dakota Motorcycle Fatalities](image)

**Figure 20**

Over the past eight years, the number of registered motorcycles in the state has increased by 16 percent and the number of licensed motorcycle drivers has increased by 51 percent (refer to Figure 21).

![Licensed Motorcycles and Operator 2009-2016](image)

**Figure 21**
Although, the number of Registered Motorcycles and Licensed Drivers has steadily increased over the last eight years, North Dakota motorcycle crashes have seen a slight decrease based on five year averages. In addition, North Dakota’s five- year (2011-2016) average for motorcycle fatalities of 11 is lower than the 2009 through 2013 of 12.20.

**Performance Measure**

**2018 Performance Goals**

Decrease the number of motorcyclist fatalities by .5 percent from a five-year (2011-2015) average of 11.4 to five-year (2014-2018) average of 11.3 by December 31, 2018.

**State Goal Calculation**

North Dakota’s goals for the number of motorcycle fatalities is based on five year averages.

Considering North Dakota has seen increases in all major indicators (Population, Number of License Motorcycle Drivers, Vehicle Miles Traveled (VMT), and Number of Registered Motorcycles) of at least 2.0 percent per year, attempting to reduce by .5 percent will be very challenging.

**C7 Countermeasures**

**Evidence-Base**

Projects listed below are identified as evidence-based strategies as identified in the *Countermeasures that Work: A Highway Safety Countermeasures Guide for State Highway Safety Offices, Seventh Edition, 2013*. Projects not listed provide support to evidence-based strategies in terms of program management, implementation, and evaluation functions.


**MC1806-01 – Program Management (Program Manager)**

**Budget: $10,000 section 402 MC**

The Safety Division will provide technical assistance and resources to the North Dakota Motorcycle Safety Program (NDMSP) administrator. The program manager will actively participate in State Motorcycle Safety Administrators (SMSA) activity and will coordinate with the Motorcycle Safety Foundation (MSF) regarding rider-coach preparation courses and rider-coach updates.

Project costs are for the direct management of the motorcycle safety program including salary, travel and operations.
MC1899-01 – Motorcycle Safety Education Program (ABATE of North Dakota)
Budget: $550,000 State funds

The North Dakota Motorcycle Safety Program (NDMSP) is a state-funded program through funds generated by a ten dollar motorcycle safety education fee paid to the NDDOT with each motorcycle registration. This fund, which began in 1980, provides an annual working budget for the NDMSP for rider training, rider coach preparation and updates, course operation and program administration.

The NDMSP will complete the following:

- Train additional rider coaches to increase NDMSP capacity to train additional motorcyclists.
- Provide new rider safety courses and experienced rider safety courses to those with prior riding experience.
- Provide for remote training locations throughout the state, two military locations, and mobile programs to reach state residents who are located away from the standard training locations.

Promote motorcycle safety education to riders of all ages (14 and above). The Safety Division contracts with ABATE of North Dakota to administer the NDMSP.

Project costs include a per person reimbursement fee to ABATE of North Dakota for each motorcyclist that completes the program. The capitated fee includes direct and indirect costs associated with ABATE’s administration of the program.

MC1806-02 – Statewide Awareness/Education Campaign
(ABATE of North Dakota)
Budget: $34,244 section 405 M9MA

This project consists of an awareness campaign entitled, Share the Road, to encourage all roadway users to “share the road” with motorcyclists. The Share the Road campaign may include public service announcements, billboards, brochures, posters, and other safety publications and will be conducted during the peak riding season.

All funds are provided to the NDMSP administrator – ABATE of North Dakota – for these purposes.
Table 9

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C8 Unhelmeted Motorcyclist Fatalities

*Problem Identification*

The number of unhelmeted motorcyclist fatalities continues to be an issue in North Dakota. Since 2009 North Dakota has averaged just over 8 motorcycle fatalities per year. Approximately, 70.0 percent of all motorcycle fatalities in the last eight years have been unhelmeted.

Figure 22

North Dakota Total Helmeted and Unhelmeted Motorcycle Fatalities

- **Number of helmeted motorcycle fatalities**
- **Number of unhelmeted motorcyclist fatalities**
Maintain the number of unhelmeted motorcyclist fatalities from a five-year (2011-2015) average of 7.2 to a five-year average (2014-2018) average of 7.2 by December 31, 2018.

**State Goal Calculation**

North Dakota’s goals for the number of unhelmeted motorcyclist fatalities is based on five-year averages. In order to meet the goal the five-year average for 2012-2016 will need to be nine fatalities or less for 2016.

Considering North Dakota has seen increases in all major indicators (Population, Number of License Drivers, Vehicle Miles Traveled (VMT), and Number of Registered Vehicles) of at least 2.0 percent per year, projecting a .5 percent decrease in the five year average is a lofty goal.

**C8 Countermeasures**

*Evidence-Base*

Projects listed below are identified as evidence-based strategies as identified in the *Countermeasures that Work: A Highway Safety Countermeasures Guide for State Highway Safety Offices, Seventh Edition, 2013*. Projects not listed provide support to evidence-based strategies in terms of program management, implementation, and evaluation functions.


**MC1806-03 – Motorcycle Safety Education – Paid Media and Outreach (Media Vendor)**

**Budget: $100,000 section 402 MC**

This project will expand media outreach to motorcycle riders and the general public to include topics such as licensing, training, motorcyclist conspicuity, impaired driving prevention, and the benefits of full personal protective gear.

Costs are for the Safety Division’s media vendor to develop and implement these media messages and materials.

**Table 10**

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C9 Drivers Age 20 and Younger Involved in Fatal Crashes

Problem Identification

The number of drivers age 20 and younger involved in fatal crashes has fluctuated over the past eight years; however, the general trend is moving upward (refer to Figure 23). The number of drivers 20 and younger involved in fatal crashes has averaged 20.3 over time. Although, there has been a slight trend upward in the five-year average 2009-2013, the state has not seen major increases in this area like it has in other measures (refer to Figure 24).

![Figure 23](image1)

![Figure 24](image2)
PERFORMANCE PLAN

Decrease the number of drivers age 20 and younger involved fatal crashes by .5 percent from a five-year (2011-2015) average of 21.0 to a five-year (2014-2018) average of 20.9 percent by December 31, 2018.

State Goal Calculation

North Dakota’s goals for the number of drivers age 20 and younger involved fatal crashes is based on five-year averages. Considering North Dakota has seen increases in all major indicators (Population, Number of License Drivers, Vehicle Miles Traveled (VMT), and Number of Registered Vehicles) of at least 2.0 percent per year, attempting to reduce by .5 percent will be very challenging.

C9 Countermeasures

Evidence-Base


TSP1808-03 – Alive at 25 Defensive Driving Program. This countermeasure was developed by the National Safety Council to target drivers in the 14 – 24 age group. Alive at 25 teaches young adults that people in their age group are more likely to be hurt or killed in a vehicle crash. They can reduce their risk by taking control and developing strategies to keep them safe on the road.

TSP1808-04 - Teen Intervention. This countermeasure is modeled after a similar program developed through other states notifying parents and teens through an Early Warning Letter (EWL) upon receipt of first moving violation. Endorsed by the American Association of Motor Vehicle Administrators (AAMVA), EWL is an effective tool that is evidence to reduce recidivism citations.

TSP1808-01 – Program Management (Program Manager)
Budget: $35,000 section 402 TSP

Direct management costs and travel expenses for young driver projects will be funded.

TSP1808-03 – Alive at 25 Defensive Driving Program (Vendor/Fiscal Agent)
Budget: $100,000 section 402 TSP

The North Dakota Safety Council will offer the Alive at 25 program to schools in North Dakota. Alive at 25 specifically targets drivers in this age group. Alive at 25 teaches teens and young adults that people in their age group are more likely to be hurt or killed in a vehicle crash; that inexperience, distractions and peer pressure cause unique driving hazards; that speeding, alcohol and party drugs greatly increase their risk of injury or death; and that as a driver or passenger, they can reduce their risk by taking control.

Costs are for student registrations, material, distribution, and other costs associated with the project.

TSP1808-04 – Teen Intervention (Vendor/Fiscal Agent)
Budget: $50,000 section 402 TSP

This project would consist of mailing Early Warning Letter (EWL) to teens and/or parents upon receipt of his/her first moving violation. The EWL is an effective tool to reduce recidivism among first-time teen violators. A personal letter reminds teens of the importance of obeying the law, the consequences of engaging in unsafe habits early in their driving careers, and that they are responsible for their personal safety and that of others on the road.

Costs are for developing, printing, mailing, and other costs associated with the project.
DE1808-02 – Driver’s Education Curriculum and Support (Vendor/Fiscal Agent)
Budget: $10,000 section 402 DE

This project will promote, distribute, and provide technical assistance to instructors related to the driver’s education curriculum North Dakota Driver Risk Prevention Curriculum (NDRPC) Playbook. The curricula is inclusive of and emphasizes positive driver/passenger behavior – as opposed to purely driver skills-based curricula – to increase seat belt use and decrease speed, impaired and distracted driving among young drivers/riders.

The North Dakota Driver and Traffic Safety Education Association (NDDTSEA) tailored the State of Oregon’s driver’s education curriculum for use in North Dakota resulting in the NDRPC which was rolled out for use by school-based driver education programs in the spring/summer of 2009. The project will continue with NDDTSEA improving the curriculum and delivery as necessary and continuing to promote, distribute and provide technical assistance to driver education instructors related to the curriculum.

The project will also provide funding in support of the NDDTSEA Annual Conference for education and training to driver education instructors related to the curriculum and delivery and other topics important to delivering quality driver education.

Funds will be used to reimburse a third-party vendor/fiscal agent for the firm’s hourly services and the direct costs associated with each event including speaker honorariums, room rental fees, speaker travel reimbursement, printing, project materials, and miscellaneous associated costs.

OTHER FUNDS
Driving Skills for Life
Budget: $10,000 Ford Motor Company/GHSA

The Safety Division will conduct the seventh annual Driving Skills for Life (DSFL) program. The DSFL program uses interactive activities to educate teen drivers about safe driver and occupant behaviors.

The event will consist of a ride and drive session conducted via local law enforcement agency’s Emergency Vehicle Operator Course (EVOC) officers where the teens have the opportunity to drive through a driving range (1) under normal conditions, (2) while being distracted by receiving and sending text messages, and (3) taking a selfie photo while driving.

Participants will also be escorted through a series of interactive traffic safety information and photo opportunity stations.

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* Governors Highway Safety Administration
C10 Pedestrian Fatalities

Problem Identification

The number of North Dakota pedestrian fatalities has averaged 6.4 percent of total fatalities over the last eight years. The general trend in the pedestrian fatalities in the state is upward and its low point for the past eight years was 2013 with one (refer to Figure 25). However the five-year average has remained fairly consistent the last eight years (refer to Figure 26). The average age of the pedestrian fatalities is 38 and the majority occur in rural areas.

**State Goal Calculation**

North Dakota’s goals for the number of pedestrian fatalities is based on five-year averages. Considering North Dakota has seen increases in all major indicators (Population, Number of License Drivers, Vehicle Miles Traveled (VMT), and Number of Registered Vehicles) of at least 2.0 percent per year, attempting to maintain the 6.6 average will be very challenging.

**OTHER FUNDS**

**Media – Paid/Earned/PI&E – Pedestrian Safety**

**Budget:** $35,000 FHWA

This project provides for paid and earned media and PI&E for motorist and pedestrian awareness to “Share the Road.” Funds will be used to purchase radio, television, billboard, and print ads. Alternative media including blogs, social networking websites, email blasts, etc. will also be used.

Funds are for the media vendor to develop and implement pedestrian safety campaigns including paid media placement.

Funds have also been dedicated to developing a pedestrian awareness program that will be conducted in local schools to increase the awareness of pedestrian safety.

**Table 12**

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C11 Bicyclist Fatalities

Problem Identification

The number of North Dakota bicycle fatalities has averaged less than 1.0 percent of total fatalities over the last six years. The general trend in the bicycle fatalities in the state is upward and its low point for the last six years was 2012 with zero (refer to Figure 27). The five-year average shows a slight increase overall.

Figure 27

Annual North Dakota Bicycle Fatalities

Figure 28

Bicycle Fatalities Five-Year Average
Maintain the number of bicyclist fatalities at a five-year (2011-2015) average of 1.2 to a five-year (2014-2018) average of 1.2 by December 31, 2018.

State Goal Calculation

North Dakota’s goals for the number of bicycle fatalities is based on five-year averages. The Safety Division has just converted to a five-year (2010-2014) average from a three-year (2011-2013) average. North Dakota has traditionally had low numbers of bicycle fatalities however, in 2016 there were three fatalities driving the five year average up.

C11 Countermeasures

OTHER FUNDS
Media – Paid/Earned/PI&E – Bicycle Safety (Media Vendor)
Budget: $35,000 FHWA

This project provides for paid and earned media and PI&E for motorist and bicyclist awareness to “Share the Road.” Funds will be used to purchase radio, television, billboard, and print ads. Alternative media including blogs, social networking websites, email blasts, etc. will also be used.

Funds are for the Safety Division’s media vendor to develop and implement bicycle safety campaigns including paid media placement.

Funds have also been designated to conduct bicycle safety training in local schools and Bike Rodeos across the state in various communities. Bicycle training will consist of peer to peer training in elementary schools to bring awareness of bicycle safety and roadway rules.

Table 13

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Observed Seat Belt Usage

B1 Behavior Core Measure

Table 14

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**Problem Identification**

As stated earlier under occupant protection the proper and consistent use of seat belts and child safety seats is known to be the single most effective protection against becoming a traffic crash fatality. The failure to wear a seat belt continues to result in more motor vehicle fatalities in North Dakota than any other traffic safety-related behavior. On average from 2009 to 2016, 62 percent of passenger vehicle fatalities were unrestrained, however, 2013 was North Dakota’s lowest year in the last six years with only 56.1 percent of the fatalities noted as not restrained.

**Performance Measure**

**2018 Performance Goals**

Increase the percent of observed occupants using a seat belts by .5 percent from 80.4 (2015) to 80.8 (2017) by December 31, 2018.

**State Goal Calculation**

For the percentage of observed occupants using seat belts North Dakota has elected to set the goal of an increase in seatbelt use in the state. In 2015 the state saw a slight decrease in observed usage and the Safety Division believes that through focused efforts and positive norming messages the observed rate can be increased.

**B1 Behavioral Countermeasures**

**Evidence-Base**

Projects listed below are identified as evidence-based strategies as identified in the *Countermeasures that Work: A Highway Safety Countermeasures Guide for State Highway Safety Offices, Seventh Edition, 2013*. Projects not listed provide support to evidence-based strategies in terms of program management, implementation, and evaluation functions.

**OP1805-03 – Annual Statewide Observational Seat Belt Survey (NDSU UGPTI)**

**Budget: $60,000 section 405 M2X**

The Safety Division will conduct an annual statewide seat belt observation survey to determine North Dakota’s seat belt use rate as a measure to evaluate the success of occupant protection programs. The survey will be conducted by the NDSU UGPTI. The observation survey is conducted each year in June per a NHTSA-approved survey methodology.

Costs are for the contractual services of UGPTI and include an approved indirect cost rate.
OP1805-04 – Observational Child Passenger Safety Survey (NDSU UGPTI)
Budget: $30,000 section 402 OP

The Safety Division will conduct a child passenger safety observational survey to determine North Dakota’s use rate as a measure to evaluate the success of child passenger safety occupant protection programs. The survey will be conducted by the NDSU UGPTI.

Costs are for the contractual services of UGPTI and include an approved indirect cost rate.

Table 15

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<td></td>
</tr>
<tr>
<td>Total All Funds</td>
<td></td>
<td>$90,000</td>
<td></td>
</tr>
</tbody>
</table>

Core Activity Measures A1-A3

Table 16

<table>
<thead>
<tr>
<th>Program Area</th>
<th>2015 Data</th>
<th>2016 Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1 Seat belt citations</td>
<td>3,736</td>
<td>3,297</td>
</tr>
<tr>
<td>A2 Impaired driving citations</td>
<td>644</td>
<td>542</td>
</tr>
<tr>
<td>A3 Speeding citations</td>
<td>5,413</td>
<td>4,512</td>
</tr>
</tbody>
</table>

Activity measures are used for tracking purposes only. No performance goals/targets are identified.

Countermeasures Core Activity Measures

Evidence-Base


PERFORMANCE PLAN

PT1802-01 – Program Management (Program Manager)
Budget: $25,000 section 402 PT

The Safety Division staff will provide training, technical assistance and resources to law enforcement to build capacity and expand operational proficiency toward the effective enforcement, arrest, prosecution, and adjudication of traffic safety offenses.

Program costs include salary, travel and operation expenses associated with administering police traffic services projects.

PT1802-03 – Web-Based Law Enforcement Reporting System
(NDDOT Information Technology)
Budget: $100,000 section 402 PT

The Safety Division will maintain the web-based law enforcement reporting system to facilitate grant reporting by participating law enforcement agencies for high visibility enforcement programs. The system allows for enforcement data and reimbursement to be managed electronically. Maintenance may include any revisions to the existing system that may be deemed necessary.

PT1802-04 – Law Enforcement Training (Vendor/Fiscal Agent)
Budget: $100,000 section 402 PT

The Safety Division will contract with a professional firm to assist planning and conduct training, conferences and other law enforcement events. The firm will coordinate and complete the event logistics and act as a fiscal agent to reimburse the on-site and participant expenses associated with each of the following events.

**TOPS Training.** This program covers educational, enforcement, and reporting issues to improve officers’ knowledge of and ability to enforce occupant protection laws. A significant portion of the curriculum is skill-based to provide officers with the abilities necessary to identify driving risks and to evaluate the events of a crash. The intent is to increase seat belt enforcement statewide in response to high unrestrained fatality numbers. The program also provides strategies for increasing occupant protection use, ranging from advocacy to managing resources.

**Incentive Programs.** The Safety Division will recognize and reward programs managed by law enforcement and traffic safety advocates that demonstrate exemplary contributions to traffic safety. The award options include:

1. the Occupant Protection Award,
2. the Drug Recognition Expert Officer of the Year Award,
3. the Traffic Safety Officer of the Year Award,
4. the Beyond the Traffic Stop Award,
5. the Traffic Safety Media Award, and
6. the Traffic Safety Civil Servant Award.

**Distracted Driving Enforcement.** This program provides training to North Dakota law enforcement officers related to North Dakota’s distracted driving law and enforcement of the law. Coordination for this training will be made with the Traffic Safety Resource Prosecutor.

Funds will be used to reimburse the firm’s hourly services and the direct costs associated with each event including speaker honorariums, room rental fees, law enforcement travel reimbursement, printing, project materials, and miscellaneous associated costs.
### Table 17

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Budget</th>
<th>Budget Source/Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>PT1802-01</td>
<td>Program Management</td>
<td>$25,000</td>
<td>402 PT</td>
</tr>
<tr>
<td>PT1802-03</td>
<td>Maintenance of Web-Based Law Enforcement Reporting System</td>
<td>$100,000</td>
<td>402 PT</td>
</tr>
<tr>
<td>PT1802-04</td>
<td>Law Enforcement Training</td>
<td>$100,000</td>
<td>402 PT</td>
</tr>
<tr>
<td>402 Total</td>
<td></td>
<td>$225,000</td>
<td></td>
</tr>
<tr>
<td><strong>Total All Funds</strong></td>
<td></td>
<td>$225,000</td>
<td></td>
</tr>
</tbody>
</table>

### A4 Core Activity Measure

#### Table 18

<table>
<thead>
<tr>
<th>Performance Measure</th>
<th>2014 Data</th>
<th>2015 Data</th>
<th>2016 Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4 Percentage of Crash Reports electronically submitted. (April 1-September 30 time frame for each year)</td>
<td>86.24</td>
<td>89.2</td>
<td>99%</td>
</tr>
<tr>
<td>Increase</td>
<td></td>
<td>3.4%</td>
<td>11%</td>
</tr>
</tbody>
</table>

### Activity Measures

A4 is a fairly new activity measure to measure success in the Traffic Records program area. The goal of the Traffic Records program area is to improve traffic records systems as measured by the attributes – accuracy, timeliness, completeness, uniformity, accessibility and integration of traffic records and ancillary data (for example, EMS and court system data).

The NDDOT has the lead to facilitate these system improvements.

### Evidence-Base

Traffic Records projects support accurate, timely, complete, uniform, accessible and integrated data for use with problem identification, and selection, implementation, and evaluation of evidence-based projects.
A4 Countermeasures

TR1804-01 – Program Management (Traffic Records Manager)
Budget: $300,000 section 402 TR

The Data Analysis Section within the Safety Division will be responsible for the direct management of the traffic records program including: (1) data management and analysis including crash data editing and entry into the Crash Reporting System, the development of the annual crash summary, provision of data to respond to data requests from within the NDDOT and from other state, local and federal agencies and the general public, and analyzing traffic safety data for the statewide problem identification included in the annual HSP; (2) maintenance of the Traffic Records Coordinating Committee (TRCC) and continuation of priority projects identified within the Traffic Records Strategic Plan (TRSP); (3) procurement and monitoring of information technology (IT) services to support TRSP projects; and (4) working with law enforcement and NDDOT staff to identify and correct frequent data errors and to provide technical assistance and resources to assure accurate, timely, complete, uniform, accessible and integrated reporting of crash report data elements.

Costs include travel and other expenses.

TR1804-02 – Crash Data System Enhancement
(NDDOT Information Technology)
Budget: $26,072 section 405 M3DA

This project will provide for the system enhancements necessary to allow remote data entry of crash reporting via TraCS (Traffic and Criminal Software). Integration of TraCS with the existing Crash Reporting System (CRS) enhances timely reporting, crash data reliability and access by state and local agencies. The CRS continues to be improved with the identification and correction of program errors. Various software packages – ArcMap, Cognos, and TraCS – are used for the traffic records manager to access data from the mainframe computer for identification and correction of data errors. This allows for flexibility and provides for enhanced problem identification of motor vehicle crash data and enhancements to crash data accuracy.

The report generation segment of the CRS – Cognos and TraCS – have an online query function and multiple reporting functions. Reports generated on a desktop personal computer are “print-ready,” to substantially reduce the amount of time spent creating and editing desktop publishing documents. Further reports will be developed as needed.
The crash report form and the officer’s instruction manual will be reviewed, updated, and reprinted as needed. Revisions to the crash report will include guidance from the TRCC for maximum adoption of MMUCC elements and attributes.

Costs include in-house information technology hourly fees to complete necessary changes to the CRS.

**TR1804-03 – TraCS (Information Technology Vendor)**  
**Budget: $400,000 section 405 M3DA**

The State of North Dakota uses the TraCS (Traffic and Criminal Software) electronic crash reporting software through a Memorandum of Understanding (MOU) with the State of Iowa – the software licensor.

An information technology vendor is under contract with the NDDOT Safety Division for the maintenance of TraCS and associated TraCS modules (incident location tool, electronic citations, Report and Notice form, etc.) and the TraCS Web conversion. The vendor also coordinates with local law enforcement agencies throughout the state to install the software, provide training to law enforcement officers, and to provide ongoing technical assistance and resources to facilitate efficient TraCS use.

TraCS was updated to collect additional MMUCC elements and attributes as determined through the TRCC.

Funds will be used to reimburse the vendor’s hourly services, travel, and other direct costs associated with TraCS.

**TR1804-04 – Annual TraCS License Fee**  
**(Software Licensor – State of Iowa)**  
**Budget: $79,500 section 405 M3DA**

The State of North Dakota uses the TraCS (Traffic and Criminal Software) electronic crash reporting software through a Memorandum of Understanding (MOU) with the State of Iowa – the software licensor. The annual cost of the license fee is $79,000.

Costs will be limited to the payment of the licensing fee.

**TR1804-05 – EMS Data Analyst**  
**(North Dakota Department of Health)**  
**Budget: $87,355 section 405 M3DA**

This project provides funds to the North Dakota Department of Health Division of Emergency Systems (DEMS) to fund a full-time EMS (emergency medical services) data analyst. The position is responsible to analyze data from the North Dakota Trauma Registry and the Statewide Online Ambulance Reporting (SOAR) system, provide training to end-users, and to identify and complete necessary quality assurance projects to assure data integrity and accuracy.

Funds will be provided to DEMS to pay the salary, benefits, travel and administrative costs associated with the EMS Data Analyst position.

*Other Projects in the Traffic Records Strategic Plan*

Other projects in the current Traffic Records Strategic Plan include quality assurance projects for each of the six data systems (crash, citation/adjudication, driver, injury, roadway, and vehicle) to be completed through each agency with responsibility for the data system. Quality assurance projects will be completed with existing agency resources for standard operations. No federal funds will be used for these projects except as identified in projects listed above.
## Table 19

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Budget</th>
<th>Budget Source/Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>TR1804-01</td>
<td>Program Management</td>
<td>$300,000</td>
<td>402 TR</td>
</tr>
<tr>
<td>TR1804-02</td>
<td>Crash Data System Enhancement</td>
<td>$ 26,072</td>
<td>405 M3DA</td>
</tr>
<tr>
<td>TR1804-03</td>
<td>TraCS</td>
<td>$400,000</td>
<td>405 M3DA</td>
</tr>
<tr>
<td>TR1804-04</td>
<td>Annual TraCS License Fee</td>
<td>$ 79,500</td>
<td>405 M3DA</td>
</tr>
<tr>
<td>TR1804-05</td>
<td>EMS Data Analyst</td>
<td>$ 87,355</td>
<td>405 M3DA</td>
</tr>
<tr>
<td>402 Total</td>
<td></td>
<td>$300,000</td>
<td></td>
</tr>
<tr>
<td>405 Total</td>
<td></td>
<td>$592,927</td>
<td></td>
</tr>
<tr>
<td>Total All Funds</td>
<td></td>
<td>$892,927</td>
<td></td>
</tr>
</tbody>
</table>

## A5 Core Activity Measures

## Table 20

<table>
<thead>
<tr>
<th>Program Area</th>
<th>2012 Data</th>
<th>2013 Data</th>
<th>2014 Data</th>
<th>2015 Data</th>
<th>2016 Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>A5 Percentage of misused car seats during checks</td>
<td>New Measure</td>
<td>75%</td>
<td>78%</td>
<td>77%</td>
<td>76%</td>
</tr>
</tbody>
</table>

### Activity Measures

**Evidence-Base**

Projects listed below are identified as evidence-based strategies as identified in the *Countermeasures that Work: A Highway Safety Countermeasures Guide for State Highway Safety Offices, Seventh Edition, 2013*. Projects not listed provide support to evidence-based strategies in terms of program management, implementation, and evaluation functions.

A5 Countermeasures

OP1805-02 – CPS Program Administration (North Dakota Department of Health)
Budget: $128,000 section 405 M2CPS

OP1805-07 - CPS Restraints (North Dakota Department of Health)
Budget: $22,000 section 405 M2CSS

The Child Passenger Safety (CPS) program will continue through a contract with the North Dakota Department of Health (NDDH) to administer the program.

The CPS program will provide community CPS services to parents and caregivers applicable to the safety of infants (birth to 12 months), toddlers (1-3), children (4-7), and youth (8-12). The NDDH will work with law enforcement, the tribes, local public health agencies, schools, existing certified child safety seat technicians, and other partners to increase the use of seat belts and child safety seats by children, and to reduce the misuse of child safety seats. Emphasis will be placed on youth and their parents to educate on the benefit of backseat riding through age 12.

The NDDH will assure the existence of an active network of CPS stations with nationally certified CPS technicians. The CPS program will provide child safety seat technician courses including: (1) three to four of NHTSA’s 32-hour Standardized CPS Training for technician courses; (2) two to three classes of regional CPS workshops; and (3) four to six workshops targeted at specific audiences (law enforcement, child care providers, Head Start staff, car seat distribution programs, etc.). Certified CPS instructors will assist to conduct car safety seat check-ups statewide to encourage parents to keep children in car seats longer and discourage use of seat belts by children who are too young and/or physically too small.

The NDDH will coordinate and conduct all CPS program outreach including outreach for Child Passenger Safety Week.

Funds will be used for the salaries (one part-time program administrator, one part-time contractor, and proxies across the state), travel, program materials, training, and child passenger safety seats for distribution to low-income parents.

Table 21

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Budget</th>
<th>Budget Source/Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>OP1805-02</td>
<td>Child Passenger Safety</td>
<td>$128,000</td>
<td>405 M2CPS</td>
</tr>
<tr>
<td>OP1805-07</td>
<td>Child Passenger Safety Restraints</td>
<td>$ 22,000</td>
<td>405 M2CSS</td>
</tr>
<tr>
<td>405 Total</td>
<td></td>
<td>$150,000</td>
<td></td>
</tr>
<tr>
<td>Total All Funds</td>
<td></td>
<td>$150,000</td>
<td></td>
</tr>
</tbody>
</table>
### Other Activity Measures

**Table 22**

<table>
<thead>
<tr>
<th>Other Activity Measures</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of students who drove a car or other vehicle while texting or emailing while driving in the past 30 days</td>
<td>Not Collected</td>
<td>Not Collected</td>
<td>59%</td>
<td>57.6%</td>
<td></td>
</tr>
<tr>
<td>Percent of students who drove a car or other vehicle who talked on a cell phone while driving in the past 30 days.</td>
<td></td>
<td></td>
<td>68%</td>
<td>61.4%</td>
<td></td>
</tr>
<tr>
<td>Distracted Driving Citations</td>
<td>Not Collected</td>
<td>Not Collected</td>
<td>388</td>
<td>394</td>
<td></td>
</tr>
</tbody>
</table>

### Problem Identification

Distracted driving has been an under-enforced and underreported traffic incident for a number of years. In August, 2015 the North Dakota Legislature enacted a bill which prohibited texting while driving and made it a primary offense.

Funding will be provided to law enforcement agencies to conduct high visibility enforcement of the texting while driving law. The Safety Division with the assistance of the Traffic Safety Resource Prosecutors will provide training and education to law enforcement on how to effectively enforce the texting while driving laws.

### Performance Measure

**2018 Performance Goals**

Increase the number of distracted driving citations issued by .5 from the baseline of 394 in 2016 to 413.7 by December 31, 2018.

### State Goal Calculation

For the goal of distracted driving citations North Dakota has elected to set the goal of an increased distracted driving citations. The Safety Division believes that through focused efforts and continued support of the enforcement of the distracted driving laws that we will see an increase of distracted driving citations statewide and be able to reduce crashes and fatalities due to distracted driving.

### Countermeasures

**Evidence-Base**


DD1811-01 – Program Management (Program Manager)
Budget: $50,000 section 402 DD

Direct management costs and travel expenses for young driver projects will be funded.

DD1811-02 – Overtime Enforcement (Law Enforcement Agencies)
Budget: $101,000 section 405 FESDDLE

Law enforcement agencies will conduct overtime enforcement of North Dakota’s anti-texting law. This program will be conducted primarily in urban areas.

Funds are for grants to participating law enforcement agencies to conduct high visibility enforcement on overtime in areas of the state more prominently impacted by distracted driving fatal and serious crashes.

DD1811-03 – Media – Paid/Earned/PI&E (Media Vendor)
Budget: $150,000 section 402 DD

The Safety Division will provide distracted driving enforcement messages to the public through paid and earned media in conjunction with distracted driving enforcement events.

The Safety Division will contract with a media firm to develop, print, and purchase media and PI&E materials to support distracted driving enforcement efforts. Funds will be used to purchase radio, television, billboard, and print ads. Alternative media including blogs, social networking websites, email blasts, etc. will also be used.

Outreach efforts will leverage state and community resources through partnerships with city, county and state law enforcement; other government agencies; community-based organizations; businesses; schools; and other partners to provide PI&E to deter distracted driving.

Campaign effectiveness will be measured by the number of paid and non-paid electronic and print mediums, the target population reached (gross rating points), and a statewide evaluation of the target audience’s knowledge, attitude, behavior, and beliefs toward occupant protection and reductions in speed-related fatalities and serious injuries. Earned media including newspaper articles, live radio remotes, appearances on local news shows, social media activity, etc. will also be tracked and reported.

Costs are for the media vendor to develop and implement distracted driving media campaigns including paid media placement.

Table 23

<table>
<thead>
<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Budget</th>
<th>Budget Source/Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>DD1811-01</td>
<td>Program Management</td>
<td>$50,000</td>
<td>402 DD</td>
</tr>
<tr>
<td>DD1811-02</td>
<td>Overtime Enforcement</td>
<td>$101,000</td>
<td>405 FESDDLE</td>
</tr>
<tr>
<td>DD1811-03</td>
<td>Media – Paid/Earned/PI&amp;E</td>
<td>$150,000</td>
<td>402 DD</td>
</tr>
<tr>
<td>402 Total</td>
<td></td>
<td>$200,000</td>
<td></td>
</tr>
<tr>
<td>405 Total</td>
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</tr>
<tr>
<td>Total All Funds</td>
<td></td>
<td>$301,000</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX A TO PART 1300 –
CERTIFICATIONS AND ASSURANCES
FOR HIGHWAY SAFETY GRANTS
(23 U.S.C. CHAPTER 4; SEC. 1906, PUB. L. 109-59,
AS AMENDED BY SEC. 4011, PUB. L. 114-94)

[Each fiscal year, the Governor’s Representative for Highway Safety must sign
these Certifications and Assurances affirming that the State complies with all
requirements, including applicable Federal statutes and regulations, that are in
effect during the grant period. Requirements that also apply to subrecipients are
noted under the applicable caption.]

State: ___________  Fiscal Year: ___________

North Dakota

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906,
the State Highway Safety Office acknowledges and agrees to the following conditions and
requirements. In my capacity as the Governor’s Representative for Highway Safety, I hereby
provide the following Certifications and Assurances:

GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit
  Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements,
  Cost Principles, and Audit Requirements for Federal Awards

INTERGOVERNMENTAL REVIEW OF FEDERAL PROGRAMS

The State has submitted appropriate documentation for review to the single point of contact
designated by the Governor to review Federal programs, as required by Executive Order 12372
(Intergovernmental Review of Federal Programs).

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

The State will comply with FFATA guidance, OMB Guidance on FFATA Subaward and
Executive Compensation Reporting, August 27, 2010,
(https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Com-
pensation_Reporting_08272010.pdf) by reporting to FSRS.gov for each sub-grant awarded:

- Name of the entity receiving the award;
- Amount of the award;
• Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
• Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;
• A unique identifier (DUNS);
• The names and total compensation of the five most highly compensated officers of the entity if:
  (i) the entity in the preceding fiscal year received—
    (I) 80 percent or more of its annual gross revenues in Federal awards;
    (II) $25,000,000 or more in annual gross revenues from Federal awards; and
  (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;
• Other relevant information specified by OMB guidance.

**NONDISCRIMINATION**
(appplies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

• **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
• **The Uniform Relocation Assistance and Real Property Acquisition Policies Act** of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
• **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 et seq.), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
• **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
• **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, sub-recipients and contractors, whether such programs or activities are Federally-funded or not);
• **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities,
public and private transportation systems, places of public accommodation, and certain
testing) and 49 CFR parts 37 and 38;

- **Executive Order 12898, Federal Actions to Address Environmental Justice in
  Minority Populations and Low-Income Populations** (prevents discrimination against
  minority populations by discouraging programs, policies, and activities with
  disproportionately high and adverse human health or environmental effects on minority
  and low-income populations); and

- **Executive Order 13166, Improving Access to Services for Persons with Limited
  English Proficiency** (guards against Title VI national origin
discrimination/discrimination because of limited English proficiency (LEP) by ensuring
that funding recipients take reasonable steps to ensure that LEP persons have meaningful
access to programs (70 FR at 74087 to 74100).

The State highway safety agency—

- Will take all measures necessary to ensure that no person in the United States shall, on
  the grounds of race, color, national origin, disability, sex, age, limited English
  proficiency, or membership in any other class protected by Federal Nondiscrimination
  Authorities, be excluded from participation in, be denied the benefits of, or be otherwise
  subjected to discrimination under any of its programs or activities, so long as any portion
  of the program is Federally-assisted.

- Will administer the program in a manner that reasonably ensures that any of its
  subrecipients, contractors, subcontractors, and consultants receiving Federal financial
  assistance under this program will comply with all requirements of the Non-
  Discrimination Authorities identified in this Assurance;

- Agrees to comply (and require any of its subrecipients, contractors, subcontractors, and
  consultants to comply) with all applicable provisions of law or regulation governing US
  DOT’s or NHTSA’s access to records, accounts, documents, information, facilities, and
  staff, and to cooperate and comply with any program or compliance reviews, and/or
  complaint investigations conducted by US DOT or NHTSA under any Federal
  Nondiscrimination Authority;

- Acknowledges that the United States has a right to seek judicial enforcement with regard
  to any matter arising under these Non-Discrimination Authorities and this Assurance;

- Inserts in all contracts and funding agreements with other State or private entities the
  following clause:

  “During the performance of this contract/funding agreement, the contractor/funding
  recipient agrees—

  a. To comply with all Federal nondiscrimination laws and regulations, as may be
     amended from time to time;
b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein;

c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;

d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and

e. To insert this clause, including paragraphs a through e, in every subcontract and subagreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The State will provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

b. Establishing a drug-free awareness program to inform employees about:
   o The dangers of drug abuse in the workplace.
   o The grantee’s policy of maintaining a drug-free workplace.
   o Any available drug counseling, rehabilitation, and employee assistance programs.
   o The penalties that may be imposed upon employees for drug violations occurring in the workplace.
   o Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a).

c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
   o Abide by the terms of the statement.
   o Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction.

e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted –
Taking appropriate personnel action against such an employee, up to and including termination.

- Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

**Political Activity (Hatch Act)**

*(applies to subrecipients as well as States)*

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

**Certification Regarding Federal Lobbying**

*(applies to subrecipients as well as States)*

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who
fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

**RESTRICTION ON STATE LOBBYING**
*(applies to subrecipients as well as States)*

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

**CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**
*(applies to subrecipients as well as States)*

**Instructions for Primary Certification (States)**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms **covered transaction**, **debarment**, **suspension**, **ineligible**, **lower tier**, **participant**, **person**, **primary tier**, **principal**, and **voluntarily excluded**, as used in this clause, have the
meaning set out in the Definitions and coverage sections of 2 CFR Part 180. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Certification” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction,” provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the list of Parties Excluded from Federal Procurement and Non-procurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of record, making false statements, or receiving stolen property;
(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1300.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarment, suspension, ineligible, lower tier, participant, person, primary tier, principal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 2 CFR Part 180. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by NHTSA.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Certification" including the "Certification
Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction,
without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1300.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, the department or agency with which this transaction originated may disallow costs, annul or terminate the transaction, issue a stop work order, debar or suspend you, or take other remedies as appropriate.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA ACT
(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase only steel, iron and manufactured products produced in the United States with Federal funds, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase
foreign produced items, the State must submit a waiver request that provides an adequate basis and justification to and approved by the Secretary of Transportation.

**PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE**
*(applies to subrecipients as well as States)*

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

**POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information on how to implement such a program, or statistics on the potential benefits and cost-savings to your company or organization, please visit the Buckle Up America section on NHTSA's website at www.nhtsa.dot.gov. Additional resources are available from the Network of Employers for Traffic Safety (NETS), a public-private partnership headquartered in the Washington, D.C. metropolitan area, and dedicated to improving the traffic safety practices of employers and employees. NETS is prepared to provide technical assistance, a simple, user-friendly program kit, and an award for achieving the President’s goal of 96 percent seat belt use. NETS can be contacted at (888) 221-0045 or visit its website at www.trafficsafety.org.

**POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or -rented vehicles, Government-owned, leased or rented vehicles, or privately-owned when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

**SECTION 402 REQUIREMENTS**

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State’s application for a grant under 23 U.S.C. 402 is accurate and complete.

2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor’s Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably
equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. (23 U.S.C. 402(b)(1)(A))

3. The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation. (23 U.S.C. 402(b)(1)(B))

4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(b)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)

5. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. (23 U.S.C. 402(b)(1)(D))

6. The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))

7. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:
   - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to –
     - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
     - Increase use of seatbelts by occupants of motor vehicles;
   - Submission of information regarding mobilization participation in accordance with 23 CFR part 1300.11(d)(6)(ii);
   - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;
   - An annual Statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
   - Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;
   - Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a). (23 U.S.C. 402(b)(1)(F))
8. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))

9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

The State: [CHECK ONLY ONE]

☐ Certifies that automated traffic enforcement systems are not used on any public road in the State;

OR

☐ Is unable to certify that automated traffic enforcement systems are not used on any public road in the State, and therefore will conduct a survey meeting the requirements of 23 CFR 1300.13(d)(3) AND will submit the survey results to the NHTSA Regional office no later than March 1 of the fiscal year of the grant.

I understand that my statements in support of the State’s application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.

Signature Governor’s Representative for Highway Safety  

Mark Nelson
Printed name of Governor’s Representative for Highway Safety
APPENDIX B TO PART 1300 – APPLICATION REQUIREMENTS FOR SECTION 405 AND SECTION 1906 GRANTS

[Each fiscal year, to apply for a grant under 23 U.S.C. 405 or Section 1906, Pub. L. 109-59, as amended by Section 4011, Pub. L. 114-94, the State must complete and submit all required information in this appendix, and the Governor’s Representative for Highway Safety must sign the Certifications and Assurances.]

State: North Dakota                     Fiscal Year: 2018

In my capacity as the Governor’s Representative for Highway Safety, I hereby provide the following certifications and assurances –

- I have reviewed the above information in support of the State’s application for 23 U.S.C. 405 and Section 1906 grants, and based on my review, the information is accurate and complete to the best of my personal knowledge.

- As condition of each grant awarded, the State will use these grant funds in accordance with the specific statutory and regulatory requirements of that grant, and will comply with all applicable laws, regulations, and financial and programmatic requirements for Federal grants.

- I understand and accept that incorrect, incomplete, or untimely information submitted in support of the State’s application may result in the denial of a grant award.

I understand that my statements in support of the State’s application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.

Signature Governor’s Representative for Highway Safety  06 10 17

Date

Mark Nelson

Printed name of Governor’s Representative for Highway Safety